

Court File No.: T-382-22

FEDERAL COURT

B E T W E E N :

JEREMIAH JOST, VINCENT GIRCY, EDWARD CORNELL and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA

Respondents

Application for Judicial Review under Sections 18 and 18.1 of the *Federal Courts Act*,
R.S.C. 1985, c.F-7

**MOTION RECORD THE MOVING PARTY, JERIMIAH JOST, VINCENT GIRCY, EDWARD
CORNELL and HAROLD RISTAU**

July 4, 2022

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Court File No.: T-382-22

FEDERAL COURT

B E T W E E N :

JEREMIAH JOST, VINCENT GIRCY, EDWARD CORNELL and HAROLD RISTAU

Applicants/Moving Parties

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA

Respondents/Responding Parties

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and
Rules 301 of the *Federal Courts Rules*.

NOTICE OF MOTION

TAKE NOTICE THAT the Applicants Jeremiah Jost, Vincent Gircy, Edward Cornell and Harold Ristau (hereinafter the “**Applicants**”) will make a motion to the Court on July 19, 2022 at 9:00 a.m. at Thomas D’Arcy McGee Building, 90 Sparks Street, 5th floor, Ottawa, Ontario K1A 0H9 to be heard by video conference.

THE MOTION IS FOR:

1. An order pursuant to R. 91 through to and including R. 100 of the *Federal Rules of Court*, compelling the Respondents’ affiant, Superintendent Denis Beaudoin (“**Beaudoin**”) of the Royal Canadian Mounted Police (“**RCMP**”) to produce the following documents and answer the following question of which the request, question, reply, and objections are summarized as follows:

No.	Question/Document	Objection
12	Will you undertake to provide true complete copies of the filled in template and schedules at Exhibit "A" regarding each of the Applicants Edward Cornell and Vincent Gircys that the RCMP provided to the financial institutions?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
21	Will you undertake to provide true complete copies of the entire contents of the investigation files of the Applicants, Edward Cornell and Vincent Gircys, regarding any purported activity prohibited by sections 2 to 5 of the Emergency Measures Regulations P.C. 2022-0107?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
47	Under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108 entities set out in section 3 (i.e. service providers, banks etc.) must disclose without delay to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service the existence of property in their possession or control that they have reason to believe is owned, held or controlled by or on behalf of a designated person, and any information about a transaction or proposed transaction in respect of said property. What is the number individuals (i.e. human beings) whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	I don't know.
48	What is the number of entities whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	I don't know. There was proactive disclosure made, but I am not certain of an exact number.

No.	Question/Document	Objection
50	Can you undertake to produce the information from services providers and financial institutions regarding the Applicants Edward Cornell and Vincent Gircys that was disclosed under s.5 of the Emergency Economic Measures Order, SOR/2022-22 to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
52	Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
53	Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
74	It is understood that the RCMP created a document in 2021 regarding the status of the Canadian pipeline and railway protests titled “Royal Canadian Mounted Police Situation Report” that was authored and provided department heads of Indigenous Services Canada and Crown-Indigenous Relations prior to an October 19, 2021 meeting between them and Commissioner Brendan Lucki of the RCMP. The RCMP would have completed such “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022?	Not relevant.
75	Will you undertake to produce all or any of the “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022 that were authored or issued by the RCMP prior to the invocation of the Emergencies Act on February 14, 2022?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.

2. That following the disposition of the herein motion, no matter the result, that the Applicants be able to orally question Beaudoin on his affidavit in response to the Written Examinations sworn on June 20, 2022, or in the alternative, the Applicants be permitted to do further Written Examinations in the same vein.
3. Such other further orders, directions, or relief the Court deems fit.

THE GROUNDS FOR THIS MOTION ARE:

4. On February 23, 2022 the Applicants issued a Notice of Application judicially reviewing the February 14, 2022 decision of the Governor-in-Council to invoke the *Emergencies Act*, as well as the February 15, 2022 decision passing the orders and regulations as a result of the February 14, 2022 invocation.
5. On March 30, 2022 the Clerk of the Privy Council objected to the production of the record before the Governor-in-Council of which the aforementioned decisions were based on, by the Clerk of the Privy Council issuing a certificated under s.39 of the *Canada Evidence Act*.
6. On April 4, 2022 Beaudoin swore an affidavit in the herein proceedings relied upon by the Respondents. In particular, Beaudoin's April 4, 2022 affidavit at paragraph 38 makes clear, and specifically states, the affidavit is relied upon in response to the applications of the Applicants for judicial review.
7. On May 19, 2022 the Applicants as permitted by R. 88(1), served Written Examinations under R. 99 and R. 100 of the *Federal Rules of Court*, on the Respondents.
8. On June 20, 2022 in response to the May 18, 2022 Written Examination, Beaudoin swore an affidavit responding to the Written Examinations and the Respondents served the same on the Applicants that day. The June 20, 2022 response affidavit objected to, expressly or implicitly, answering questions and producing documents

in relations to questions 12, 21, 47, 48, 50, 52, 53, 74 and 75 as particularized at paragraph 1 herein.

9. Though there is no “Direction to Attend” to be served when a party uses Written Examinations, pursuant to R. 100, R. 94 regarding productions of documents on examination applies to Written Examinations served under R. 99 “*with such modifications as are necessary*”. The Applicants states, as there is no Direction to Attend available for a Written Examinations to seek production for inspection of “*all documents and other materials requested in the direction to attend that are within that person’s or party’s possession and control*”, the request for documents in the Written Examination’s body by way of undertaking (or any other like phrase seeking production), is the modification as is necessary referred to in R. 100.
10. The Applicants state, the objection to produce the documents in response to questions 12, 21, 50, 52, 53, and 75 of the Written Examination are in fact objections to produce documents under R. 94.
11. The Applicants state, and the fact is, that Beaudoin is a current high ranking RCMP officer, and the possession, power or control requirement requisite regarding documents sought are quite broad in the case of an affiant with a broad scope of authority within an organization like the RCMP. The Applicants state, and the fact is, the documents sought via questions 12, 21, 50, 52, 53, and 75 of the Written Examination are relevant and material documents, that are in Beaudoin’s possession, or control, and properly producible.
12. The Applicants state, and the fact is, all of the questions asked at 12, 21, 47, 48, 50, 52, 53, 74 and 75 are relevant to the issue in respect of which the affidavit of Beaudoin was filed. In particular, Beaudoin’s April 4, 2022 affidavit at paragraph 38 makes clear it is filed in response to the applications of the Applicants for judicial review of the invocation of the *Emergencies Act*. The Applicants state the answers sought go to both whether there were reasonable and probable grounds to invoke

the *Emergencies Act*, or to the necessity and scope of the measure imposed via s.5 of the *Emergency Economic Measures Order*, P.C. 2022-0108, which are the very subject to judicial review in the herein proceeding. The Applicants state the questions asked were fair, as well as asked with a *bona fide* intention of obtaining information directly related to the issues in the proceedings.

13. The Applicants further state the Clerk of the Privy Council's objection to production of the record before the Governor-in-Council by issuing a certificate under s.39 of the *Canada Evidence Act* is a relevant factor that the Court must consider in the herein motion. In particular, when s.39 of the *Canada Evidence Act* is utilized, and access to the record of the decision the Governor-in-Council made their decision upon denied, the Court must get creative in order to supplement the denied record to ensure meaningful judicial review.

THIS APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL

1. The March 30, 2022 certificate issued by the Clerk of the Privy Council under s.39 of the Canada Evidence Act.
2. The April 4, 2022 affidavit of Superintendent Denis Beaudoin of the Royal Canadian Mounted Police.
3. The June 15, 2022 affidavit of Steven Shragge of the Privy Council Office, Security and Intelligence Secretariate.
4. The June 20, 2022 affidavit of Superintendent Denis Beaudoin of the Royal Canadian Mounted Police responding to the Written Examinations of the Applicants served on May 19, 2022
5. Such further and other evidence as counsel may advise.

Date: July 4th, 2022

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PART I – OVERVIEW AND SUMMARY OF FACTS

1. All of the Applicants in this action will be referred to as the “Jost Applicants” for simplicity.
2. Pursuant to R. 91 through to and including R. 100 of the *Federal Rules of Court*, the Jost Applicants seek to compel answers to the Written Examinations and records sought that the Attorney General of Canada (“AGC”) have objected to regarding Superintendent Denis Beaudoin, Director of Financial Crime, Federal Policing Criminal Operations (“**Beaudoin**”) with the Royal Canadian Mounted Police (“**RCMP**”).

PART II – ISSUES

3. The Jost Applicants submitted the issues are defined based on the relief sought outlined above in the following two questions:
 - a. Should the Court compel answers to the Written Examinations and records sought that the AGC have objected to arising from the examinations of Beaudoin?
4. The Jost Applicants submit that the answer to the above question is “yes”.

PART III – SUBMISSIONS

- a. **Application to compel answers to the Written Examinations and documents under R. 91 through to and including R. 100**
5. Beaudoin swore an affidavit in this proceeding on April 4, 2022.¹ The Jost Applicants questioned Beaudoin by Written Examination, and the records sought, questions asked, and response to same are in Beaudoin’s affidavit sworn June 20, 2022.²
6. Beaudoin is not just a Director with the RCMP, but a Superintendent. It’s submitted he would have possession, power or control of information and records of the highest accord within the RCMP. As per the affidavit sworn June 20, 2022, Beaudoin was even one of the persons to give evidence before Parliamentary committee on March 7, 2022 regarding the invocation of *Emergencies Act*: questions and objections 36-41.
7. The numbers of question/document, the actual question/document, and a summary of the objection will be outlined in the following chart, and each dealt with in chronological or group order.

¹ Beaudoin Affidavit, sworn April 4, 2022 [Moving Party Motion Record, Tab B]

² Beaudoin Affidavit, sworn June 20, 2022 [Moving Party Motion Record, Tab C]

No.	Question/Document	Objection
12	Will you undertake to provide true complete copies of the filled in template and schedules at Exhibit “A” regarding each of the Applicants Edward Cornell and Vincent Gircys that the RCMP provided to the financial institutions?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
21	Will you undertake to provide true complete copies of the entire contents of the investigation files of the Applicants, Edward Cornell and Vincent Gircys, regarding any purported activity prohibited by sections 2 to 5 of the Emergency Measures Regulations P.C. 2022-0107?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
47	Under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108 entities set out in section 3 (i.e. service providers, banks etc.) must disclose without delay to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service the existence of property in their possession or control that they have reason to believe is owned, held or controlled by or on behalf of a designated person, and any information about a transaction or proposed transaction in respect of said property. What is the number individuals (i.e. human beings) whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	I don’t know.
48	What is the number of entities whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	I don’t know. There was proactive disclosure made, but I am not certain of an exact number.
50	Can you undertake to produce the information from services providers and financial institutions regarding the Applicants Edward Cornell and Vincent Gircys that was disclosed under s.5 of the Emergency Economic Measures Order, SOR/2022-22 to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.

No.	Question/Document	Objection
52	Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
53	Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.
74	It is understood that the RCMP created a document in 2021 regarding the status of the Canadian pipeline and railway protests titled “Royal Canadian Mounted Police Situation Report” that was authored and provided department heads of Indigenous Services Canada and Crown-Indigenous Relations prior to an October 19, 2021 meeting between them and Commissioner Brendan Lucki of the RCMP. The RCMP would have completed such “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022?	Not relevant.
75	Will you undertake to produce all or any of the “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022 that were authored or issued by the RCMP prior to the invocation of the Emergencies Act on February 14, 2022?	No undertakings required to be given. Affiant limited to providing relevant documents within his power, possession or control.

8. First, regarding requests for documents generally, whether they are called “undertakings”, “demands” or something else, in Written Examinations, pursuant to R. 100 of the *Federal Rules of Court*, the production of documents rule at R. 94 that applies to Directions to Attend, apply “to written examinations, with such modifications as are necessary”. The written examination themselves therefore also encompasses production of documents rule at R. 94. This being the case, it is submitted, that the onus was on the AGC to seek relief from production under R. 94(2).³ Nevertheless, with respect to current high ranking RCMP officers like Beaudoin, it has been held by this Court that under R. 91(2)(c) of the *Federal*

³ *Canadian Coalition for Firearm Rights v. Canada (Attorney General)*, 2022 FC 332, para. 18.

Rules of Court, that “the ‘possession, power or control requirement’ requisite will be ‘quite’ broad in the case of ‘an affiant with a broad scope of authority within an organization’”.⁴

9. Regarding production of the records sought at 12, 21 and 50 it’s clear that Beaudoin has access to these records. In his affidavit, he even gives specific information about Edward Cornell and Vincent Gircys having their accounts frozen but refuses to produce the records of how it actually operated with respect to Edward Cornell and Vincent Gircys. Beaudoin was responsible for the overseeing of the use of the economic measures used against Edward Cornell and Vincent Gircys. Its submitted records sought at 12, 21 and 50 are relevant and producible.
10. Regarding 47 and 48, it’s submitted that the answer “I don’t know” in the context is an objection. This can be gleaned by Beaudoin’s answer to questions 49, where it was asked if information pursuant to s.5 of the Emergencies Economic Measures Order was provided regarding Edward Cornell and Vincent Gircys, and the answer given was “yes” for Vincent Gircys, and “no” for Edward Cornell. The provision at s.5 of the Emergencies Economic Measures Order is the provision that required banks etc., without any request from authorities, to proactively disclose Canadians’ private banking information without warrant. The scope of infringement on Canadians’ s.8 *Charter* privacy interest in their banking information⁵ is clearly discernible from an answer to 47 and 48. If Beaudoin has the answer regarding s.5 of the Emergencies Economic Measures Order for Vincent Gircys and Edward Cornell, Beaudoin would clearly have the ability to obtain the answer regarding the number of individuals and entities whose banking information was provided to the Government pursuant to s.5. This is relevant and material to the imposition of s.5 of the Emergencies Economic Measures Order regarding its legality, as well as the constitutional challenge on the basis of “void for vagueness” to the undefined “measures” provision in the *Emergencies Act* that authorized it.
11. Regarding production of 52 and 53, the Jost Applicants have the benefit of the filed work product of the Canadian Civil Liberty Association (CCLA) for these records. The Jost Applicants adopted the submissions and representations of the CCLA with respect to the records at 52 and 53 in full as to why they should be produced.
12. Lastly, regarding 74 and 75, question 74 asks if such a record exists, and it’s objected to as irrelevant. The record sought to confirm if exists is the RCMP “situation report” regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022. This document, and its existence, would be clearly relevant as to the matter before the Court as it would contain assessments of the threat protests and purported blockades posed. There is evidence in Steven Shragge’s affidavit affirmed on June 15, 2022⁶ in response to Written Examination that Shragge says such a

⁴ Ibid, para. 21.

⁵ *Schreiber v. Canada (Attorney General)* [1998] S.C.J. No. 42, para. 22 and para. 55.

⁶ Affidavit of Steven Shragge, affirmed June 15, 2022. [Moving Party Motion Record, Tab D]

report would be considered by senior government officials: see Shragge responses to questions 20, 24, and 25. The sought production of said report due to Beaudoin's rank, which not just Director but a Superintendent within the RCMP makes him an 'an affiant with a broad scope of authority within the RCMP who would have access to this record. Question 74 should be answered, and the record in 75 produced.

13. All records and answers to questions sought should be provided as s.39 of the *Canada Evidence Act* has been invoked over all the records that were before the GIC when she made the decision to invoke the *Emergencies Act*.⁷ The law requires the Court needing to be creative in dealing with the production of records when a s.39 objection is invoked, as directed by the Federal Court of Appeal in *Canada (Citizenship and Immigration) v. Canadian Council for Refugees*,⁸ so meaningful judicial review can be had. It is not the Executive Branch of the Government of Canada that gathers the evidence and information regarding threats as defined under s.2 of the *Canadian Security Intelligence Service Act*, but independent civil servants like those with the RCMP. Although records that were before the Cabinet in this matter are subject to the Certificate and are therefore not producible *per se* – the relevant and material evidence and assessments from independent civil servants regarding threats under s.2 of the *Canadian Security Intelligence Service Act* – are producible. It is this evidence that must replace the record that has been denied by the s.39 Canada Evidence Act certificate.

PART IV – ORDERS SOUGHT

14. The Jost Applicants seek the following relief be ordered:

- a. Beaudoin be compelled to produce the records sought, and answer the questions asked, at 12, 21, 47, 48, 50, 52, 53, 74 and 75 of the Written Examination and stated in his affidavit sworn June 20, 2022.
- b. That following the disposition of the herein motion, no matter the result, that the Jost Applicants be able to orally question both Beaudoin on his affidavit in response to the Written Examinations, or in the alternative, the Jost Applicants be permitted to do further Written Examinations in the same vein.
- c. Such other relief as the Court may deem appropriate and necessary.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 4th DAY OF JULY 2022.

⁷ March 31, 2022 Certificate issued under s.39 of the Canada Evidence Act by the Clerk of the Privy Council [Moving Party Motion Record, Tab E].

⁸ *Canada (Citizenship and Immigration) v. Canadian Council for Refugees*, [2021 FCA 72](#)

Court File No.: T-306-22

FEDERAL COURT

BETWEEN:

CANADIAN FRONTLINE NURSES AND KRISTEN NAGLE

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

AFFIDAVIT OF DENIS BEAUDOIN

Court File No.: T-316-22

FEDERAL COURT

BETWEEN:

CANADIAN CIVIL LIBERTIES ASSOCIATION

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

AFFIDAVIT OF DENIS BEAUDOIN

Court File No.: T-347-22

FEDERAL COURT

BETWEEN:

CANADIAN CONSTITUTION FOUNDATION

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

AFFIDAVIT OF DENIS BEAUDOIN

Court File No. T-382-22

FEDERAL COURT

B E T W E E N:

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

and

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, ATTORNEY
GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS**

Respondents

AFFIDAVIT OF DENIS BEAUDOIN

I, Denis Beaudoin, of the city of Ottawa, in the Province of Ontario, swear that:

1. I am a superintendent for the Royal Canadian Mounted Police (RCMP). My current position is Director of Financial Crime, Federal Policing Criminal Operations. I have served in this position since 2021. My responsibilities in this role include overseeing financial crime operations for the RCMP nationally.
2. In this capacity, I was responsible for overseeing the use of the economic measures put in place under the Emergencies Act proclamation. I developed the process used by the RCMP for verifying and sharing information with financial institutions as described below. As such, I have personal knowledge of the information in my affidavit.

Economic Order and Regulations

3. On February 15, 2022, the Governor General in Council enacted the Emergency Economic Measures Order found at P.C. 2022-108 of the CTR (the Order), as well as the Emergencies Measures Regulations found at P.C. 2022-107 of the CTR (the Regulations), pursuant to its proclamation the previous day that a public order emergency existed.
4. On February 23, 2022, the Order and Regulations were revoked and ceased to apply.
5. The Order and Regulations did not apply retroactively and applied only to individuals who acted in contravention of sections 2 to 5 of the Regulations between February 15 and 23, 2022.

Objective and Scope of the Order and Regulations

6. The RCMP's primary role with respect to implementing the measures was to provide financial service providers with information gathered by police about people and companies potentially involved in illegal activities, which the financial service providers could use to ensure their compliance with the Order.
7. The Order gave financial institutions the ability to freeze financial products of individuals and companies involved in prohibited activities and gave law enforcement authority to share information with financial institutions with the ultimate goal to end illegal acts peacefully.

Implementation of the Order

8. Neither the Order nor Regulations specified a procedure through which financial service providers would identify individuals or entities that met the definition of "designated person" under the Order.

9. In practice, the police provided financial service providers with information about particular individuals or entities, which the financial service providers could use in conjunction with other information at their disposal to make their own determinations about whether they needed to take steps to comply with the Order.
10. Once the Order came into effect, the RCMP worked closely with municipal and provincial policing partners, including the Ontario Provincial Police (OPP) and Ottawa Police Service (OPS), to collect relevant information regarding persons, vehicles and entities that were believed to be directly or indirectly involved in prohibited activities.
11. The RCMP served as the conduit for sharing all information between police and financial service providers. The OPP and OPS provided the RCMP with relevant information in their possession and the RCMP validated this information and then shared it with financial service providers. I attach as **Exhibit "A"** a copy of a blank template that the RCMP used to provide the Information it described, if available, to financial institutions.
12. During the eight days that the Order was in place from February 15 to 23, 2022, the RCMP disclosed information to banks, the Canadian Bankers Association, the Investment Industry Regulatory Organization of Canada, the Canadian Securities Administrators, credit unions, and the Mutual Fund Dealers Association of Canada.
13. The RCMP shared two main types of information with financial service providers: information obtained from the OPP and OPS regarding individuals already identified as part of their criminal investigations into the illegal protests and blockades; and information regarding trucks and other vehicles located in downtown Ottawa.
14. Initially, the RCMP shared with financial service providers the identities of 15 entities that the OPP and OPS had identified as suspects of their criminal investigation. Financial service providers used this information to determine whether to take action in order to comply with their obligations under the Order.
15. With respect to the second type of information, the OPP collected licence plate information and other identifying information of vehicles blockading downtown Ottawa. The RCMP then collected information from police and public sources to corroborate the presence of individuals and vehicles in the illegal protest. This information was then shared with financial service providers so that they could decide whether to take action in order to comply with the Order.
16. The RCMP and other law enforcement agencies focused their efforts on identifying and disclosing information pertaining to individuals and entities who were actively involved in illegal action, either by organizing or influencing the illegal activities or by being present at the illegal protest.

17. The RCMP did not disclose information pertaining to those who made donations in support of the protests or who purchased merchandise supporting the protests as it would have had no immediate impact to end the protest peacefully.
18. The RCMP communicated information to financial institutions but did not advise on the methods financial institutions should use to ensure compliance with the Order.
19. In a number of instances, the RCMP decided to not disclose information to the financial service providers following the investigative phase. The reasons for not disclosing were that there was not enough information to believe the person or entity was involved, the plate was invalid in the police database system, the person was attempting to leave but was unable, or it was no longer believed the person or entity was involved (either left on their own accord or were removed by police).
20. In total, the RCMP disclosed information on approximately 57 entities and individuals to financial service providers and approximately 257 accounts were frozen by financial institutions pursuant to the Order. Some individuals or entities had multiple accounts or services frozen.
21. Additionally, the RCMP identified and disclosed 170 Bitcoin wallet addresses to virtual currency financial service providers via a series of cryptocurrency alerts. These accounts received funds linked to the HonkHonkHodl crowdfunding campaign, which raised 20.7 Bitcoin with a value of between \$1 million to \$1.2 million during the period during which the Order was in force. No personal information was included in those alerts and this information was available publicly. I attach the three cryptocurrency alerts provided by the RCMP to financial service providers as **Exhibit "B"**.
22. The alerts noted that these e-wallets were linked to a joint RCMP and OPP/OPS investigation and directed the providers to cease facilitating transactions involving these e-wallets and to disclose relevant transaction information to the RCMP.
23. The RCMP clearly communicated to these electronic financial service providers that the Order was not to be applied retroactively and could only be applied while the Order was in effect.
24. Although the RCMP did not give information to financial institutions to enable them to freeze accounts of persons who had donated for use in the convoys and illegal blockades, some information was publicly available about donations that had been made to "GiveSendGo" for use in the illegal blockades.

Efforts to Minimize Negative Impact

25. The RCMP attempted to contact many of the individuals or entities whose information was to be disclosed to financial service providers, in order to re-confirm their ongoing participation in prohibited activities. For example, a number of individuals contacted by the RCMP confirmed that they were participating in the blockade in Ottawa and that they refused to leave. At that point, the RCMP advised the individuals of the Order and the risk that their bank accounts could be frozen.
26. Some people indicated when contacted that they wanted to leave, but were not in a position to do so because the streets were not cleared. These people were instructed to be ready and to make sure their truck was ready to leave when the streets were cleared. The information on these persons was not provided to the financial service providers.
27. The persons identified by the OPS and the OPP as suspects in their criminal investigation were not contacted prior to their information being shared.
28. After the illegal blockade was cleared, the RCMP reached out to some people to ascertain if it was their intention to return. Some indicated that they were not going back because they did not want their accounts frozen.
29. The Order imposed on financial service providers a duty to determine on a continuous basis if they were in possession of property owned, held or controlled by or on behalf of a designated person. Individuals who had their account frozen would have to contact their financial service provider to make arrangements to unfreeze their account. They could do this as soon as they stopped participating in the activities targeted by the Order. The RCMP facilitated this process by remaining in communication with financial service providers to assist them in assessing the involvement of their clients in the illegal activities.
30. On February 21, 2022, the RCMP communicated with the financial service providers and advised them that, without taking into account independent information available to financial entities, the RCMP no longer believes the individuals or entities disclosed were engaged in conduct or activities prohibited under the EMR, and therefore no longer met the criteria of a designated person under the Order. Attached as **Exhibit "C"** is an email with the subject line "Emergency Economic Measures Order (EEMO) - SITUATIONAL UPDATE."
31. Attached as **Exhibit "D"** is a copy of the RCMP statement about the unfreezing of accounts released by the RCMP on February 23, 2022.
32. The RCMP did not share information with insurance providers because the goal remained to facilitate a peaceful end to the blockade by allowing fully insured drivers to remove their vehicles from downtown Ottawa of their own volition.

33. As far as I am aware, all accounts that were frozen under the Order are now unfrozen.

Utility of the Order

34. The powers granted under the Order allowed the RCMP and other law enforcement agencies to work closely with Canadian financial institutions to implement asset freezes that strongly encouraged individuals to leave the illegal protests and deter the counselling of others to engage in prohibited activities. It also deterred protesters from staying in the area and coming back.
35. I believe the additional powers allowed by the Order played a role to resolve effectively an unprecedented, urgent, and rapidly evolving situation. The information the RCMP provided to financial service providers helped incentivize many involved in the blockade of downtown Ottawa to leave peacefully and minimized the risk of a violent end to the blockades by depriving those engaged in prohibited activities of access to funds.

Applicants Edward Cornell and Vincent Gircys

36. The RCMP disclosed the names of the Applicants, Edward Cornell and Vincent Gircys to financial institutions due to their overt participation in prohibited activities in Ottawa.
37. Both Mr. Cornell and Mr. Gircys participated in a press conference on February 16, 2022 at which they urged people to come to Ottawa to participate in prohibited activities. The press conference is posted on Instagram at [Kristen Nagle on Instagram: "Press conference with Daniel Bulford, Vincent Gircys, Eddie Cornell."](#)
38. I make this affidavit in response to the applications for judicial review in court file numbers T-306-22, T-347-22, T-316-22, and T-382-22 and for no other or improper purpose.

SWORN BEFORE ME at the City of
Ottawa, in the Province of Ontario
this 4th day of April, 2022



A Notary Public in and for the
Province of Ontario

)
)
)
)
)
)



DENIS BEAUDOIN

This is Exhibit "A" referred to in the
affidavit of

Denis Beaudoin

sworn before me this April 04/2022
day of April A.D., 2022



Notary Public in and for
the Province of Ontario

**Marc Germain Tremblay, a Commissioner etc.,
Province of Ontario, for the Government of Canada,
Department of Public Safety and Emergency Preparedness.
Expires November 25, 2022.**



File 2022-198524

Disclosure of Information

The following report is made pursuant to the *Emergency Economic Measures Order (SOR/2022-22)* and *Emergency Measures Regulations (SOR/2022-21)* enacted under the *Emergencies Act* on February 15th, 2022.

I, _____, am a regular member of the Royal Canadian Mounted Police (RCMP), currently posted to the RCMP's National Division (Ottawa area). I am engaged in the collection and disclosure of information to entities that have a duty to determine as defined in Section 3 of the *Emergency Economic Measures Order*.

The information being disclosed is relevant to individuals or entities that are engaged, directly or indirectly, in an activity prohibited by sections 2 to 5 of the above noted *Emergency Measures Regulations*.

The specific disclosure is related to the following individuals or entities:

The information collected has been compiled and summarized in the attached Appendix "A".

This document is the property of the Royal Canadian Mounted Police (RCMP). It is loaned to your agency on the understanding that it is not to be further disseminated, reclassified, or used in affidavits, court proceedings, or other legal or judicial process without the consent of the originator. Distribution within your agency is to be done on a need-to-know basis. The document is to be protected in accordance with normal safeguards for law enforcement information. Please contact the sender for any clarifications regarding the information or the caveat.

Ce document est la propriété de la Gendarmerie Royale du Canada (GRC). Il est prêté à votre organisme avec l'accord qu'il ne doit pas être distribué davantage, reclassifié, ou utilisé dans des affidavits, dans des procès de cour ou autre procès judiciaire ou légal. La distribution de ce document dans votre agence doit être faite seulement si nécessaire. Le document doit être protégé avec mesures de précaution normales conformément avec l'administration de la loi. S'il vous plaît contacter l'expéditeur de ce message pour des clarifications concernant cette information ou pour une mise en garde.

APPENDIX "A"



File 2022-198224

VEHICLE PROFILE

Registered Owner

Name:

DOB :

Address (last known) :

Date of search:

Complete by :

Vehicle information

- XXX

Database checks

CPIC:

- XXX

PROS:

- XXX

PIP:

- XXXX

Open Source

Social Media Queries

Facebook:

Twitter:

LinkedIn:

Other:

Corporate Checks

Company involved:

Company Inquiries (reach out / call)

Company's involvement:

Vehicle Involved

Synopsis:

OCC Cameras

Observations:

Other Relevant Information

Information collected:

This is Exhibit "B" referred to in the
affidavit of

Denis Beaudoin

sworn before me this April 04, 2022
day of April A.D., 2022



Notary Public in and for
the Province of Ontario

**Marc Germain Tremblay, a Commissioner etc.,
Province of Ontario, for the Government of Canada,
Department of Public Safety and Emergency Preparedness.
Expires November 26, 2022.**



11

CRYPTOCURRENCY ALERT

The Ontario Provincial Police and Royal Canadian Mounted Police are currently investigating cryptocurrency donations being collected in relation to illegal acts falling under the scope of the *Emergency Measures Act*.

Pursuant to the *Emergency Economic Measures Order*, under subsection 19(1) of the *Emergencies Act*, there is a duty to cease facilitating any transactions pertaining to the following cryptocurrency address(es):

Any information about a transaction or proposed transaction in respect of these address(es), is to be disclosed immediately to the Commissioner of the Royal Canadian Mounted Police, at CryptocurrencyNHQ-CryptomonnaieDG@rcmp-grc.gc.ca.

Asset	Address
LTC	ltc1qqhzc2dflesccd5gx6ugqqgcplzakrk8wixl8zq
ADA	addr1qxwxppd3ahfsh43f88h4jn8ngrum64fe6meck3nnwkwgtsp6elsk4xhyrdtm5v6tnq3ulw9u9gcmvkhjr4xcu3sm60hqtz3wuy
XMR	423nPDQqsPrAAgFShAuBMrYQQCgb2562iLLWu1dZyEGEGsavxfpNxWtDjreSUzwqWQCxi6GrSz8jtYWjS4pW9mK9DoBvDwo
ETH	0x859481ef7dac321078547f50c756c8924eab183f
ETC	0x88cd1d4611d456357ef8620450d3121672305d03
BTC	bc1qvetv2l3v508lmpal067kgghm6x6nsm70rgwhx
BTC	1Pk9TAxrXE1sQeYx3KXN77TfNjBDPxeEnk
BTC	bc1q82ejx54e9ra0fa9n5whcaqegdr2f5j6ep0kep7
BTC	bc1qlc2gpmzrr9gded07d9a40lt2lq7pp2v7h4c5jx
BTC	bc1q2xjld87z45k2fuz48dqhntgh3e0k80ft0a46jd3ftwrqt4fnnyjftd0ur
BTC	bc1q3jsfd54ja2jxnumjwq2ds6qn0yt0mye7lwvdmyft3a8a5w9d8hkqxf6az
BTC	bc1q48chzsuwxu7cz82p83mpekdn0u44c223r4dzsdd98d8l03ws7es484z23
BTC	bc1q4hqvw7a806yc8554nskuyqc4jc6juywzxcgprk0n25rtcj5z3dkqey0h9f
BTC	bc1q7r7escgmm7nq2jhc92nc2uh7tw3vzexzspge65ts06243pensl2spf67vn
BTC	bc1q8lrztkg9tkedvhu6hzvvc7ps2cf6t2t4hj5jdf6p38asc407wxzsl40gkx
BTC	bc1q8tf0hn3vda0pgkhej73unz338wstxvl9qrv5h3rtwah2j6mlqx3ce99
BTC	bc1q96z7hleyh2fvqmgc8s9yw0650u3uwjv7mrpsff2ltz8wvctmcnsykh50c
BTC	bc1qcg44z6ly3h3635gfzkeh4lg22ks7ndy3dzzh0qyv3eqmzrwehnsk58gwr
BTC	bc1qfcrw4nf659e4s8d9yaldltac75awrpqeqh76du68qzw8q0m7276sw0q3uh

BTC	bc1qg76ahdnvxwwfd8l05wh0u4y54sht2s4djqpmp2vt0levqz7s62l9q4wh33n
BTC	bc1qhdek8my95y8pvxvj8lwmvdqcrkf6a5ny6l9lqyw42s2tz8rcgg0qrrz8yf
BTC	bc1qsdherstd6f8rswt0pklv3gckwtjtaszswzlmgdrat9hkvppwpqpsvcd39z
BTC	bc1qt6t5lddw7vxdzmcz0cdl6xnyrfmu2ywd64g0pw6k7czwl5xhfxs3e5sff
BTC	bc1qv3aa6wepvtllcy7kuvpmfzar93ku2yppp72tm0zfecj20h04r58sn7wvhq




BTC	bc1qv7k0hltgg5vdquy86z8m48wp7ul92hdddp2emh2ppra0slzvg86q8uv9g9
BTC	bc1qxxwx7r30fspqng769h080rqx4y2eksmwcecvrwyk7uwyl6lr0hnsllr9re
BTC	bc1q3ufme0prwe7xwacj32jt89r997xcwh2wmjkg129acetvf3q0wz4sp50j05
BTC	bc1qun9qcxesc6avaa30anl0jvs36h3cy6nq7xh36yvx9frmqc8v6khq4nwnv0
BTC	bc1qzrst06qg2ve7x9a45z94hal882ecx9eqvcxttpq400cvqk6hkr6q0rcvjs
BTC	bc1q86ceuvc0580rddxmquihu3huxkcykrns2jah4vhqnlr67jdkh43sd5gcgr
BTC	bc1qepl9mm4qq7eqtvhe3ys3ymwvs4z3rmyuhvfs3scsysnjdkvhpsfp6ven
BTC	bc1qv7k0hltgg5vdquy86z8m48wp7ul92hdddp2emh2ppra0slzvg86q8uv9g9
BTC	bc1qahvu2rtjyze9gn50skcs2q06vpfnznwdnsa9scxv5y6axudksskq2ku6hd
BTC	bc1qg3aeueyd4947tk9kfnzhrssxgfy0ctn8zcjcdg0tk0gchzwfq7zq4zlnse

Thank you for your assistance with this investigation,

CryptocurrencyNHQ-CryptomonnaieDG@rcmp-grc.gc.ca



CRYPTOCURRENCY ALERT

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bc1q02lht2z94cvxz7gku6x03zt8hql2ljex009a5c
bc1q062pkhf0yyp4uwp0vg893h2z7vg9dtyhmfs57z
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bc1qxagk2r5xszz528e5l6dvmpca6c09pk6ckukq

Thank you for your assistance with this investigation, CryptocurrencyNHQ-CryptomonnaieDG@rcmp-grc.gc.ca.



CRYPTOCURRENCY ALERT

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bc1q02lht2z94cvxz7gku6x03zt8hql2ljex009a5c
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Thank you for your attention to this matter,

CryptocurrencyNHQ-CryptomonnaieDG@rcmp-grc.gc.ca.

This is Exhibit "C" referred to in the
affidavit of

Denis Beaudoin

sworn before me this April 04/2022
day of April A.D., 2022



Notary Public in and for
the Province of Ontario

**Marc Germain Tremblay, a Commissioner etc.,
Province of Ontario, for the Government of Canada,
Department of Public Safety and Emergency Preparedness,
Expires November 24, 2022.**

From: [FPCO Financial Crime / OCPF Criminalité Financière](#)
Sent: February 21, 2022 1:14 PM
To: [FPCO Financial Crime / OCPF Criminalité Financière](#)
Subject: RE: Emergency Economic Measures Order (EEMO) - SITUATIONAL UPDATE

Good day,

Following the publishing of the *Emergency Economics Measures Act* (EEMO), the RCMP and its policing partners have provided you information regarding specific individuals and entities in an effort to contribute to the application of the EEMO by assisting to identify property belonging to people who were engaged in the illegal activities set out in the *Emergency Measures Regulations* (EMR). Following these disclosures, financial assets were frozen.

Not taking into account independent information available to financial entities, the RCMP no longer believes the above-mentioned individuals or entities are engaged in conduct or activities prohibited under the EMR, and therefore no longer meet the criteria of a designated person under the Order.

As the law is still currently in effect, listed entities must determine on a continuing basis whether they are in possession or control of property that is owned, held or controlled by, or on behalf of, a designated person.

Should information about designated persons becomes available, the RCMP may decide to disclose further information to financial entities to contribute to the application of the EEMO.

Thank you,
 Kelley

Kelley Hughes (Cpl.)

Federal Policing Criminal Operations - Financial Crime (FPCO-FC) |
 Opérations criminelles de la Police fédérale – Criminalité Financière (OCPF-CF)
 Royal Canadian Mounted Police (RCMP) | Gendarmerie royale du Canada (GRC)
 National Headquarters | Direction générale
 Ottawa, ON
 Phone / tél: (343) 550-7279

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From: FPCO Financial Crime / OCPF Criminalité Financière
Sent: February 21, 2022 12:23 PM
To: FPCO Financial Crime / OCPF Criminalité Financière <FPCOFC-OCPFCF@rcmp-grc.gc.ca>
Subject: Emergency Economic Measures Order (EEMO) - SITUATIONAL UPDATE

Good afternoon,

We would like to reassure you that it remains our priority to communicate information that may assist listed entities with their assessment to unfreeze financial products related to the disclosures of designated person information.

Although we are not currently in a position to do that yet, we anticipate being able to provide you with relevant information later this afternoon.

Thank you for your continued patience and understanding as we work through this complex time together.

Kelley

Kelley Hughes (Cpl.)

Federal Policing Criminal Operations - Financial Crime (FPCO-FC) |

Opérations criminelles de la Police fédérale – Criminalité Financière (OCPF-CF)

Royal Canadian Mounted Police (RCMP) | Gendarmerie royale du Canada (GRC)

National Headquarters | Direction générale

Ottawa, ON

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This is Exhibit "D" referred to in the
affidavit of

Denis Beaudoin

sworn before me this April 04, 2022
day of April A.D., 2022



Notary Public in and for
the Province of Ontario

**Marc Germain Tremblay, a Commissioner etc.,
Province of Ontario, for the Government of Canada,
Department of Public Safety and Emergency Preparedness.
Expires November 25, 2022.**

RCMP·GRC

ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

STATEMENT

Enforcement under the *Emergencies Act – Unfreezing of accounts*

The *Emergencies Act* has allowed law enforcement and monitoring agencies to work more closely with Canadian financial institutions; which has enhanced the effectiveness of law enforcement's investigations pertaining to the illegal convoy protests.

The RCMP and its policing partners used the Emergency Economic Measures Order to strongly encourage individuals to leave the illegal protests and deter them from counselling others to commit criminal offences.

The RCMP provided relevant information to financial institutions, who have the onus to determine which financial products should be frozen, pertaining to entities (i.e. individuals or companies) believed to be involved in illegal acts. As previously stated, at no time did the RCMP disclose information on donors or on those who purchased merchandise.

As of February 21, 2022, the RCMP has gone back to financial institutions with some updated information about certain entities whose status may have changed pertaining to the illegal protest activity. This new information can be assessed alongside all other information to help inform decisions to unfreeze certain accounts.

RCMP-GRC

ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

DÉCLARATION

Application de la loi en vertu de la *Loi sur les mesures d'urgence* – Dégel de comptes

La *Loi sur les mesures d'urgence* a permis aux organismes d'application de la loi et de surveillance de collaborer plus étroitement avec les institutions financières canadiennes et d'ainsi accroître l'efficacité des enquêtes policières sur les manifestations illégales entourant le convoi de la liberté.

La GRC et ses partenaires policiers ont eu recours au *Décret sur les mesures économiques d'urgence* pour encourager fortement des individus à quitter les lieux des manifestations illégales et les dissuader de conseiller à d'autres personnes de commettre des infractions criminelles.

La GRC a fourni aux institutions financières, qui ont la responsabilité de déterminer quels produits financiers doivent être gelés, des renseignements pertinents au sujet d'entités (individus ou entreprises) que l'on croit participer à des actes illégaux. Comme il a été déclaré précédemment, la GRC n'a à aucun moment divulgué de renseignements sur des donateurs ou des personnes qui ont acheté des marchandises.

En date du 21 février 2022, la GRC a transmis des renseignements actualisés aux institutions financières sur certaines entités dont la situation peut avoir changé relativement aux manifestations illégales. Ces nouveaux renseignements peuvent être évalués au même titre que toutes les autres informations disponibles afin d'éclairer les décisions relatives au dégel de certains comptes.

Court File No. T-382-22

FEDERAL COURT

B E T W E E N:

**JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS,
and HAROLD RISTAU**

Applicants

and

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA,
ATTORNEY GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY
AND EMERGENCY PREPAREDNESS**

Respondents

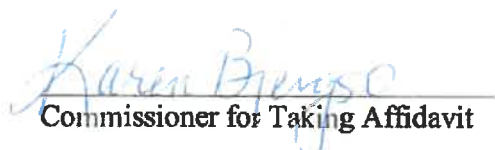
AFFIDAVIT OF DENIS BEAUDOIN

I, Denis Beaudoin, Director of Financial Crime, Federal Policing Criminal Operations
with the Royal Mounted Canadian Police, of the City of Ottawa in the Province of
Ontario, SWEAR THAT:

1. The answers set out in **Exhibit A** to this affidavit, in response to the written
questions submitted by the Applicants on May 18, 2022, are true, to the best of my
information, knowledge and belief.

2. I make this affidavit *bona fide*.

SWORN BEFORE ME at the City of
Ottawa, in the Province of Ontario
this 20 day of June, 2022


Commissioner for Taking Affidavit

**Karen Louise Bjergso,
A Commissioner, etc., City of Ottawa,
for the Government of Canada,
Department of Public Safety and
Emergency Preparedness.
Expires August 8, 2022**

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DENIS BEAUDOIN

This is Exhibit "A" referred to in the affidavit of Denis Beaudoin sworn before me on
June 20, 2022



Karen Bjergso

**Karen Louise Bjergso,
A Commissioner, etc., City of Ottawa,
for the Government of Canada,
Department of Public Safety and
Emergency Preparedness.
Expires August 8, 2022**

Exhibit A**ANSWERS TO WRITTEN EXAMINATION OF DENIS BEAUDOIN**

1. I previously swore an affidavit on April 4, 2022 in this matter. This exhibit contains my answers to the written examination, which was served on counsel for the Respondent on May 18, 2022. Below is the chart setting out each question and the answer to that question or noting where an objection to the question has been made by counsel for the Respondent. Attached hereto as Annex 1 to Exhibit "A" is a chart prepared by counsel for the Respondent setting out those objections and refusals maintained by counsel for the Respondent and the basis for same.

No.	QUESTION	RESPONSE
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	Subject to counsel's objection as outlined in Annex 1 my answer is: I did not give evidence or submissions to the Governor-in-Council (GIC) regarding whether to issue a Proclamation declaring the existence of a Public Order Emergency.
2.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue the Order-in-Council: Order directing Special Temporary Measures for Public Order Emergency, P.C. 2022-0106?	I did not.
3.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue the Order in Council: Emergency Measures Regulations,	I did not.
4.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue Order in Council: Emergency Measures Regulations, P.C. 2022-0107?	I did not.

No.	QUESTION	RESPONSE
5.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue the Order in Council: Emergency Economic Measures Order, P.C. 2022-0108?	Order in Council: Emergency Measures Regulations, P.C. 2022-0108 is not the correct number. The correct number is Order in Council: Emergency Measures Regulations, P.C. 2022-0107 (as stated in Q4).
6.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue the Order in Council: Emergency Economic Measures Order, P.C. 2022-0108?	I did not.
7.	You were not present before the Governor in Council when any of the hearings on February 14, 2022, and February 15, 2022, referred to in questions [1] through [6] herein took place?	I was not present during the decision-making process of the GIC.
8.	You have no knowledge of any of the evidence in your affidavit, including its exhibits, being before the Governor in Council when any of the hearings on February 14, 2022, and February 15, 2022, referred to in questions [1] through [6] herein took place?	I have no knowledge.
9.	You oversaw the creation of the template that the Royal Canadian Mounted Police ("RCMP") used to provide the information to financial institutions that is exhibited at Exhibit "A" of your affidavit?	National Division was responsible for the collection of the information. They developed the template but I do not know who specifically developed it
10.	Regarding paragraph 36 of your affidavit, a filled in template and schedules at Exhibit "A" was completed regarding each of the Applicants Edward Cornell and Vincent Gircys?	Yes.
11.	Regarding paragraph 36 of your affidavit, the filled template and schedules referred to at question [10] herein was then provided to financial institutions by the RCMP?	Yes.

No.	QUESTION	RESPONSE
12.	Undertaking 1 of 10 – Will you undertake to provide true complete copies of the filled in template and schedules at Exhibit “A” regarding each of the Applicants Edward Cornell and Vincent Gircys that the RCMP provided to the financial institutions?	Please see the objection from counsel in Annex 1.
13.	What are the names of each of the specific financial institutions the RCMP provided the filled in template and schedules for the Applicants Edward Cornell and Vincent Gircys as referred to in question [10]?	I don’t know. This process was overseen by someone in my office. It started with major banks, and as the week went on, more financial institutions were added to the list, but I do not know all of the names.
14.	Regarding paragraph 36 of your affidavit, what are the names of each of the specific financial institutions the RCMP disclosed the names of the Applicants, Edward Cornell and Vincent Gircys, to?	As my answer for question 13, I don’t know.
15.	Regarding paragraph 36 of your affidavit, what date and time did the RCMP disclose the names of the Applicants, Edward Cornell and Vincent Gircys, to the financial institutions?	I don’t know the exact date and time.
16.	Regarding paragraph 36 of your affidavit, what date and time did the RCMP provide the filled in template and schedules for the Applicants Edward Cornell and Vincent Gircys as referred to in question [10] to the financial institutions?	I don’t know the date and time.
17.	Is it your understanding or belief that the legal basis the RCMP disclosed the names of the Applicants, Edward Cornell and Vincent Gircys to the financial institutions, was s.6 of the Emergency Economic Measures Order, P.C. 2022-0108?	In referring to the Order, yes, I can confirm that it was section 6, the section of the Order that allows the RCMP to share information with financial institutions.

No.	QUESTION	RESPONSE
18.	Is it your understanding or belief that the legal basis the RCMP disclosed to the financial institutions the filled in template and schedules regarding each of the Applicants, Edward Cornell and Vincent Gircys, as referred to in question [10], was s.6 of the Emergency Economic Measures Order, P.C. 2022-0108?	Yes, section 6.
19.	Does the RCMP have an investigation number or file number assigned to the investigations of the Applicants, Edward Cornell and Vincent Gircys, that lead to the filled in template and schedules referred to at question [9] herein being provided to the financial institutions?	I am not personally aware if an investigation number or a file number exists.
20.	Does the RCMP have an investigation number or file number assigned to the investigations of the Applicants, Edward Cornell and Vincent Gircys, that lead to the RCMP disclosing the names of the Applicants, Edward Cornell and Vincent Gircys to the financial institutions?	I am not personally aware of any investigation numbers or file numbers.
21.	Undertaking 2 of 10 - Will you undertake to provide true complete copies of the entire contents of the investigation files of the Applicants, Edward Cornell and Vincent Gircys, regarding any purported activity prohibited by sections 2 to 5 of the Emergency Measures Regulations P.C. 2022-0107?	Please see the objection from counsel in Annex 1.
22.	At paragraph 36 of your affidavit, you state that the Applicants, Edward Cornel and Vince Gircys overtly participated in "prohibited activities"?	Correct.
23.	You agree that the phrase "prohibited activities" used in your affidavit is a reference to the prohibitions listed in s.2 through 5 of the Emergency Measures Regulations, P.C. 2022-0107?	Yes.

No.	QUESTION	RESPONSE
24.	Since April 17, 2018, to present the head of the RCMP has been Commissioner Brenda Lucki?	I am not sure of the date, but the current head of the RCMP is Commissioner Brenda Lucki.
25.	Commissioner Brenda Lucki did not request or recommend to the Government of Canada that it invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I don't know.
26.	The Ottawa interim police chief Steve Bell did not request or recommend to the Government of Canada that it invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I don't know.
27.	You have no knowledge of Commissioner Brenda Lucki requesting or recommending to the Government of Canada that they invoke the <i>Emergencies Act</i> on or before February 14, 2022?	Correct, I have no knowledge.
28.	The RCMP did not request or recommend the Government of Canada invoke the <i>Emergencies Act</i> on or before February 14, 2022?	In terms of the RCMP as an organization, I don't know. I can only speak for myself, and I did not request it.
29.	You have no knowledge of the RCMP requesting or recommending to the Government of Canada that they invoke the <i>Emergencies Act</i> on or before February 14, 2022?	Correct, I have no knowledge.
30.	What are the total number of "entities" whose information the RCMP shared with service providers and financial institutions pursuant to s.6 of the Emergency Economic Measures Order, P.C. 2022-0108?	I believe there were 57 disclosures, composed of both individuals and businesses. I don't know the breakdown though of how many individuals and businesses were included in the disclosures. I may be provided with further information on this and will update my answer accordingly if I become aware of further detail.
31.	What are the total number of "individuals" (i.e. human beings) whose information the RCMP shared with service providers and financial institutions pursuant to s.6 of the	I am not certain of the exact number of individuals. I may be provided with further information on this and will update my

No.	QUESTION	RESPONSE
	Emergency Economic Measures Order, P.C. 2022-0108?	answer accordingly if I become aware of further detail.
32.	It is true that it was not the RCMP's request or recommendation to the Government of Canada that freezing bank accounts could be an effective measure to encourage protesters to leave Ottawa and elsewhere?	I do not know if the RCMP made this request.
33.	Is it true that "individuals" (i.e. human beings) whose information the RCMP shared with service providers and financial institutions pursuant to s.6 of the Emergency Economic Measures Order, P.C. 2022-0108, were only individuals involved in the protests in Ottawa?	Yes, just those involved at the protests in Ottawa.
34.	Is it true that none of the "individuals" (i.e. human beings) whose information the RCMP shared with service providers and financial institutions pursuant to s.6 of the Emergency Economic Measures Order, P.C. 2022-0108, were individuals involved in the protests and purported "blockades" outside Ottawa?	Yes, only those involved at the protests in Ottawa.
35.	Is it true that none of the "individuals" (i.e. human beings) whose information the RCMP shared with service providers and financial institutions pursuant to s.6 of the Emergency Economic Measures Order, P.C. 2022-0108, were protestors at the border in Coutts, Alberta?	Yes, that is true. Only those involved in Ottawa.
36.	On March 7, 2022, you stated that the sole purpose of using the Economic Measures in the Emergency Economic Measures Order, P.C. 2022-0108 was " <i>to clear the downtown area as peacefully as possible</i> ", correct?	Please see the objection from counsel in Annex 1.
37.	By downtown area you mean the downtown area of Ottawa?	Please see the objection from counsel in Annex 1.
38.	It is true that it is your understanding that the sole purpose of the Emergency Economic Measures Order, P.C. 2022-0108 was to clear	I can't speak on the purpose of why the law was created. I can speak on how the law was applied: to clear the downtown area as peacefully as possible, and to have a positive effect on the outcome. We didn't

No.	QUESTION	RESPONSE
	the downtown area of Ottawa as peacefully as possible?	know how the situation would be resolved, if there would be violence, or any other things that would get out of control. That is why we used every legal means to end the situation as peacefully as possible
39.	It is true that on March 7, 2022, you confirmed that you did not see any evidence of terrorist activity in the funding of the protests and purported “blockades”?	Please see the objection from counsel in Annex 1.
40.	It is true that you did not see any evidence of terrorist activity in the funding of the protests and purported “blockades”?	I did not see any evidence of terrorist activity in the funding. FINTRAC may be better suited to provide this information.
41.	On March 7, 2022, you stated of the Economic Measures under the Emergency Economic Measures Order, P.C. 2022-0108: <i>“We felt that it was a good measure to put in place. We can see it on a larger scale right now around the world, but restricting people’s financial assets certainly played a part in this”</i> . When you said <i>“We can see it on a larger scale right now around the world”</i> you were referring to economic sanctions, like those imposed on Russia, Russians, and Russian oligarchs arising from the Russian invasion of Ukraine, correct?	Please see the objection from counsel in Annex 1.
42.	It is true that that the Economic Measures under the Emergency Economic Measures Order, P.C. 2022-0108 are analogous to economic sanctions, like those imposed on Russia, Russians, and Russian oligarchs arising from the Russian invasion of Ukraine?	Please see the objection from counsel in Annex 1.
43.	Between February 15 and February 23, 2022, the Financial Transactions and Reports Analysis Centre of Canada (“FINTRAC”) worked closely with its partners, including the RCMP, to implement the Emergency Economic Measures Order, P.C. 2022-0108 and created a preregistration page for crowdfunding platforms and payment service	I cannot speak on the exact process that FINTRAC had created, I but confirm we worked with partners including FINTRAC. I cannot confirm the creation of a registration page.

No.	QUESTION	RESPONSE
	providers to register with FINTRAC and submit suspicious transaction reports?	
44.	You agree that FINTRAC's mandate is to facilitate the detection, prevention and deterrence of money laundering and the financing of terrorist activities while ensuring the protection of personal information under its control?	I am not certain if that is their exact mandate – FINTRAC's mandate is set out in its enabling legislation. However, my knowledge of FINTRAC is that their role is detecting and preventing money laundering and terrorism financing.
45.	A true copy of FINTRAC's website outlining the implementation of the Emergency Economic Measures Order printed on February 23, 2022, is attached hereto and marked as Exhibit "1" ?	This appears to be FINTRAC's website; however, I am not responsible for this webpage and cannot verify the authenticity or legitimacy of what has been produced.
46.	Exhibit 1 of 1 – Questioning [46] The Respondents agree that Exhibit "1" attached hereto can be treated as a full exhibit in the herein proceeding without further necessity of an affidavit being filed exhibiting same?	I am not prepared to agree to this request.
47.	Under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108 entities set out in section 3 (i.e. service providers, banks etc.) must disclose without delay to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service the existence of property in their possession or control that they have reason to believe is owned, held or controlled by or on behalf of a designated person, and any information about a transaction or proposed transaction in respect of said property. What is the number individuals (i.e. human beings) whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	I don't know.
48.	What is the number of entities whose information was disclosed to the Commissioner of the Royal Canadian Mounted Police or to the Director of the	I don't know. There was a proactive disclosure made, but I am not certain of an exact number.

No.	QUESTION	RESPONSE
	Canadian Security Intelligence Service under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108?	
49.	Was information from services providers and financial institutions regarding the Applicants Edward Cornell and Vincent Gircys disclosed under s.5 of the Emergency Economic Measures Order, P.C. 2022-0108 to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service?	To the best of my knowledge, I can say yes for Mr. Gircys and no for Mr. Cornell. I did not personally receive all of the emails that came in from the banks.
50.	Undertaking 3 of 10 – Can you undertake to produce the information from services providers and financial institutions regarding the Applicants Edward Cornell and Vincent Gircys that was disclosed under s.5 of the Emergency Economic Measures Order, SOR/2022-22 to the Commissioner of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service?	Please see the objection from counsel in Annex 1.
51.	There is evidence in this proceeding that the Incident Respondent Group had three meetings, one on each of February 10, 12 and 13, 2022. Were you a member, participant, or attendee at any of the Incident Respondent Group meetings on February 10, 12 and 13, 2022?	No.
52.	Undertaking 4 of 10 – Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	Please see the objection from counsel in Annex 1.
53.	Undertaking 5 of 10 – Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	Please see the objection from counsel in Annex 1.
54.	You are aware the Clerk of the Pricy Council has issued a certificate under s.39 of the	No.

No.	QUESTION	RESPONSE
	Canada Evidence Act regarding the record before the Governor in Council?	
55.	You can agree the certificate under s.39 of the Canada Evidence Act regarding the record before the Governor in Council lists the records it is issued in relation to?	I have not seen the certificate.
56.	Undertaking 6 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council directing that a Proclamation be issued pursuant to subsection 17(1) of the <i>Emergencies Act</i> ?	Please see the objection from counsel in Annex 1.
57.	Undertaking 7 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning Emergency Measures Regulations?	Please see the objection from counsel in Annex 1.
58.	Undertaking 8 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning an Emergency Economic Measures Order?	Please see the objection from counsel in Annex 1.
59.	You have no knowledge of any other records being before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under s.39 of the <i>Canada Evidence Act</i> ?	No, I am not aware.

No.	QUESTION	RESPONSE
60.	Undertaking 9 of 10 – If there are records that were before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under s.39 of the <i>Canada Evidence Act</i> , can you undertake to produce them?	Please see the objection from counsel in Annex 1.
61.	As a senior member of the RCMP your familiar with protests and blockades set up throughout Canada that have occurred from 1990 to present?	Subject to the objection of the AGC in Annex 1, my answer is that I have some general awareness, but no professional experience or first-hand knowledge with these other events.
62.	You're familiar with the protest and blockade that occurred in 1990 in Oka, Quebec?	Please see the objection from counsel in Annex 1.
63.	Can you agree with the description of the protest and blockade in 1990 in Oka, Quebec as taken from a third party source: An armed standoff in Oka between Mohawks and the Canadian army ended on Sept. 26, 1990, after 11 weeks. The conflict partly stemmed from the town of Oka's plan to expand a golf course on land the Mohawks claimed. After a failed July 11 police raid in which an officer was killed, Mohawks at the Kahnawake reserve south of Montreal blocked the Mercier Bridge that connects Montreal to its populous south-shore suburbs in a show of support. Trouble later erupted near the Kahnawake reserve shortly after the events at Oka, when a crowd of 400 to 500 bat-toting and rock-launching Mohawk protesters threatened soldiers. By the end, army officials had taken 34 men, 16 women and six young people into custody. In the aftermath of the standoff, Ottawa appointed a royal commission on Aboriginal issues.	Please see the objection from counsel in Annex 1.
64.	You're familiar with the protest and blockade that occurred in 1993 in Clayoquot Sound, British Columbia?	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
65.	Can you agree with the following description of the protest and blockade in 1993 in Clayoquot Sound, British Columbia as taken from a third party source: More than 700 people were arrested in 1993 during a peaceful three-month anti-logging protest on Vancouver Island. They objected to the B.C. government's logging plan for the Clayoquot, which would have allowed some form of logging in two-thirds of the 350,000 hectares of forest, home to some of Canada's largest and oldest trees. On July 15, police estimated nearly 2,000 people attended a rally in Tofino to hear the Australian rock group Midnight Oil perform in support of the protesters. The band's visit was organized by Greenpeace Canada. In 1995, the B.C. government said clearcutting — when large tracts of forest are stripped of trees — would be replaced with a new form of harvesting that requires loggers to leave more trees standing	Please see the objection from counsel in Annex 1.
66.	You're familiar with the protest or blockade that occurred in 1995 in Ipperwash, Ontario?	Please see the objection from counsel in Annex 1.
67.	Can you agree with the following description of the protest or blockade in 1995 in Ipperwash, Ontario as taken from a third party source: One man was killed during a standoff over a land claim by Chippewa protesters outside Ipperwash Provincial Park on Lake Huron near London, Ont., in September 1995. Dudley George was killed in a confrontation with police at the park on Sept. 6. The land claim dated back more than 50 years and involved an abandoned military base. Nearly three weeks after the shooting, hundreds of people occupied the base and dozens more refused to leave the park, saying it was the site of a sacred burial ground. A police officer was later convicted of criminal negligence causing death. The standoff by	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
	members of the Kettle and Stoney Point First Nation ended on Sept. 13.	
68.	You are familiar with the protest and blockade that occurred in 2013 in Rexton, New Brunswick?	Please see the objection from counsel in Annex 1.
69.	Can you agree with the following description of the protest and blockade in 2013 in Rexton, New Brunswick as taken from a third party source: Forty people were arrested after RCMP enforced an injunction on Oct. 17, 2013, to prevent people from blocking a compound near Rexton where SWN Resources was storing exploration equipment. Police said they seized guns and improvised explosive devices when they enforced the injunction to end the blockade of the compound. Six police vehicles were burned and police responded with pepper spray and fired beanbag-type bullets to defuse the situation. Among those who opposed shale gas development was the Elsipogtog First Nation. The RCMP blocked Route 134 on Sept. 29 after a protest there began spilling onto the road. Protesters subsequently cut down trees that were placed across another part of the road, blocking the entrance to the compound. The protesters wanted SWN Resources to stop seismic testing and leave the province. In 2014, the Liberal government in New Brunswick brought in an indefinite moratorium on hydraulic fracturing. It also instituted five conditions on allowing fracking, which included a plan for regulations and waste-water disposal, a process for consultation with First Nations, a royalty structure and a so-called social licence.	Please see the objection from counsel in Annex 1.
70.	You're familiar with the protest and blockade in 2020 commonly referred to as the "Canadian pipeline and railway protests"?	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
71.	Someone online has taken the time to make a full timeline of the 2020 “Canadian pipeline and railway protests” in Wikipedia with references, can you agree that the following description and timelines of the 2020 “Canadian pipeline and railway protests from January 5, 2020 to March 21, 2020 is accurate : January 2020 January 5 - Anarchist website North Shore Counter Info releases a callout against rail infrastructure: "To Settlers, by Settlers" which includes instructions and tips for sabotage in solidarity with the Wet'suwet'en. January 7 - The UN Committee on the Elimination of Racial Discrimination calls on Canada to immediately stop the construction of the Coastal GasLink (CGL) and Trans Mountain pipelines and the Site C dam. January 7 - Individuals sabotage three junctions in Hamilton, Ontario shutting down all rail traffic in and out of the city. January 8 - Protestors in Hamilton, Ontario block a main road and rail crossing in solidarity with the Wet'suwet'en. January 11 - BC Human Rights Commissioner Kasari Govender calls for a halt to the CGL pipeline until the affected Indigenous groups consent to the construction. January 16 - UN committee chair Nouredine Amir admits to media that he was unaware that the CGL had broad Indigenous backing other than the Wet'suwet'en. January 16 - Karen Ogen-Toews, chair of the First Nations LNG Alliance and former Wet'suwet'en elected chief, writes an open letter to the UN asking for a retraction and immediate apology to the 20 First Nations who are in favour of the project. January 20 – Protesters disrupt BC ferry service leaving from Swartz Bay ferry	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
	terminal, which is Victoria's main ferry link to the BC mainland. January 23 - Individuals sabotage a rail junction box in Burlington, ON. January 27 - BC Minister of Public Safety and Solicitor General Mike Farnworth declares a provincial emergency under the Provincial Police Service Agreement and authorizes the Royal Canadian Mounted Police (RCMP) to redeploy resources to use in the enforcement of the injunction in a letter to the RCMP Deputy Commissioner. January 30 – The RCMP announces that they would stand down while the hereditary chiefs and the province meet to discuss and try to come to an agreement. February 2020 February 1 - The Office of the Hereditary Chiefs of the Wet'suwet'en give an "eviction notice" to the Coastal GasLink Pipeline construction camp February 3 – The Office of the Wet'suwet'en asks for a judicial review of the environmental approval for the pipeline. February 4 – The hereditary chiefs and the Government of British Columbia issue statements that talks had broken down. February 6 – The RCMP begins enforcing the injunction, arresting 21 persons at camps along the route between February 6 and 9. February 6 – Near Belleville, Ontario, members of the Mohawks of the Bay of Quinte First Nation begin a blockade of the Canadian National Railway rail line just north of Tyendinaga Mohawk Territory. The line is critical to the CNR network in Eastern Canada as CNR has no other east-west rail lines through Eastern Ontario. February 6 – Via Rail cancels trains on their Toronto–Montreal and Toronto–Ottawa routes. Until February 13, Via Rail	

No.	QUESTION	RESPONSE
	announces passenger train cancellations on a day-to-day basis. February 8 – Solidarity protests take place in Toronto and Ottawa. February 8 - A blockade of the Exo's Cadiac line south of Montreal in Kahnawake begins. February 9-10 - Individuals set fire to a rail junction box in Hamilton, ON and Guelph, ON. February 10 – Solidarity rallies take place in Nelson, Calgary, Regina, Winnipeg, Sherbrooke, and Halifax. February 10 – Metro Vancouver police arrest 47 persons blocking the Port of Vancouver, Deltaport, and two other ports in Metro Vancouver. February 10 – A blockade goes up on the CNR line west of Winnipeg blocking the trans-Canada passenger rail route. February 10 – The Société de chemin de fer de la Gaspésie (SCFG) freight railway between Gaspé and Matapédia, Quebec is blockaded by members of the Listuguj Mi'gmaq First Nation. February 11 – Prince George–Prince Rupert passenger rail service is suspended. February 11 – The RCMP announces that the road to the construction site was cleared and TC Energy announced that work would resume the following Monday. February 11 – A solidarity rally surrounds the BC Legislature in Victoria, preventing the traditional ceremonies around the reading of the Throne Speech by the Lieutenant Governor. Members of the Legislature had to have police assistance to enter or used back or side entrances. February 12 - The Wet'suwet'en hereditary chiefs petition the Supreme Court of Canada to declare "Canada has a constitutional duty	

No.	QUESTION	RESPONSE
	to keep the country's greenhouse gas emissions within the Paris Agreement limit." February 13 – CNR shuts down its rail lines east of Toronto. February 13 – Via Rail announces the shutdown of its entire network, with the exception of the Sudbury–White River train line and the Winnipeg–Churchill train between Churchill and The Pas, until further notice. February 14 – BC Ferries obtains a preemptive injunction to prevent anticipated future demonstrations from blocking Vancouver-Victoria ferry service. February 15 – The rail blockade of Prince Rupert is lifted. February 15 - Over 200 people block Macmillan Yard - the second largest railyard in Canada - in solidarity. February 15 – Indigenous Services Minister Marc Miller meets the Mohawks in a ceremonial encounter on the CNR train tracks to renew a 17th Century treaty between the Iroquois and the British Crown known as the Silver Covenant Chain. Miller and the leaders of Tyendinaga then discussed the blockade. Miller asked for a temporary drawback of the protest but his request was refused after Wet'suwet'en hereditary Chief Woos, who was on the phone, stated that the RCMP was still on his territory and "they are out there with guns, threatening us." Leaked audio of the meetings included a Mohawk resident in the meeting telling the minister to "Get the red coats out first, get the blue coats out ... then we can maybe have some common discussions". February 16 – A demonstration temporarily blocks the Rainbow Bridge border crossing in Niagara Falls, Ontario.	

No.	QUESTION	RESPONSE
	February 17 – A demonstration temporarily blocks the Thousand Islands Bridge border crossing in Ivy Lea, Ontario. February 18 – CNR temporarily lays off 450 employees for reasons related to the pipeline disruptions (they are recalled March 3). February 18 – Opposition leader Andrew Scheer condemns the federal government's response, calling it "the weakest response to a national crisis in Canadian history. Will our country be one of the rule of the law, or will our country be one of the rule of the mob?". Prime Minister Justin Trudeau holds a private meeting with the other opposition parties' leaders, barring Scheer after his comments. February 18 – The Assembly of First Nations (AFN) holds a press conference in Ottawa. AFN National Chief Perry Bellegarde called for all parties to engage in dialogue. "It's on everybody. It's not on any one individual. I'm just calling on all the parties to come together, get this dialogue started in a constructive way." February 19 – A blockade is set up on the Mont-Saint-Hilaire rail line in Saint-Lambert, Quebec, promising to stay until the RCMP leaves the disputed zone in Wet'suwet'en territory. The blockade caused Via Rail to postpone resuming service between Montreal and Quebec City. February 19 - Individuals sabotage a rail line in Toronto, ON. February 19 – A group of about 20 members of a group calling itself the "Cuzzins for Wet'suwet'en" erects a blockade on a CN rail line in west Edmonton. CN obtains a court injunction, and less than twelve hours after the blockade began, it was dismantled by counter-protesters after a CN legal representative arrived to serve the injunction. February 19 – Via Rail announces temporary layoffs of up to 1,000 people due to the blockades.	

No.	QUESTION	RESPONSE
	February 20 – The RCMP offers to close its Community Industry Security Office (CISO) on the Morice Road. February 20 – Another blockade of CPR tracks springs between Kamloops and Chase in British Columbia. The protesters left voluntarily on February 21, after the RCMP offered to leave the Wet'suwet'en land. The group vowed to return in four days if a dialogue was not started between the prime minister and the hereditary chiefs. February 20 - The Civilian Review and Complaints Commission (CRCC) for the RCMP issues a letter critical of RCMP procedures in the "checkpoint and exclusion zone" implemented on the Morice West Forest Service Road, stating the RCMP went beyond its legal authority to do ID checks of activists and searches of activists' vehicles. February 20 - Wetsuweten hereditary matriarch Rita George speaks out against the protests, saying they were not supported by the matriarchs and that the protesters are not following ancestral ways. February 21 – The Mont-Saint-Hilaire rail line is cleared after the Sûreté du Québec police arrive to enforce a CNR injunction February 21 – Prime Minister Trudeau calls for the barricades to come down. February 21 – The British Columbia Environmental Assessment Office (EAO) served notice that Coastal GasLink must halt construction on that segment and enter into talks with the Wet'suwet'en over the next 30 days. February 21 – Wet'suwet'en supporters block CNR rail lines near Moncton, New Brunswick. February 22 – After the hereditary chiefs made it a condition for talks with the federal government, the RCMP closes their CISO	

No.	QUESTION	RESPONSE
	onsite office and moves to their detachment in Houston. February 22 - Anarchists in Hamilton, ON release a statement promising to blockade rails if the OPP clear the Tyendinaga blockade. February 23 – Mohawks at the Tyendinaga rail blockade are given notice by the OPP to clear their blockade by midnight to avoid prosecution for disobeying the injunction against the blockade. February 24 – The Tyendinaga Mohawks do not vacate the site. The OPP removes the blockade, arresting several of the protesters. February 24 – Immediately following the police action, new protests spring up in the province of Quebec, including a temporary rolling blockade of the Honoré Mercier Bridge near Montreal by Mohawks from Kahnawake, a new rail blockade by the Listuguj Mi'gmaq in the Gaspé Peninsula, and a barricade of Route 344 which was the site of the 1990 Oka Crisis. February 24 – Rail blockades come down in New Brunswick after being served with an injunction. February 24 – New protests form in British Columbia, blocking the BC Legislature, the Port of Vancouver and rail lines in Hazelton and Kamloops. In Hazelton, 14 protesters, including three Gitksan hereditary chiefs, are arrested. They are released overnight. February 24 - In a statement signed and supported by over 200 Canadian lawyers, Beverly Jacobs and Sylvia McAdam of the University of Windsor, Alex Neve of Amnesty International, and Harsha Walia of the BC Civil Liberties Association state that is the Canadian governments that are breaking international law, not the Wetsuweten hereditary chiefs and call for an end to the violation of indigenous persons' right to free, prior and informed consent.	

No.	QUESTION	RESPONSE
	February 24 – Members of the Mohawk Nation (Bear Clan) from the Six Nations of the Grand River First Nation block Ontario Highway 6 in Caledonia in solidarity with the Wet'suwet'en. February 25 – Members of the Six Nations of the Grand River First Nation set up a rail blockade in Hamilton, causing the cancellation of train service between Aldershot and Niagara Falls stations. The GO Metrolinx agency replaced the rail service with shuttle buses. February 25 - A demonstration blocks commuter rail lines in Toronto, causing suspension of GO train service for several hours. Several protesters are arrested. February 25 - In Kanesatake, the blockade is reduced on Highway 344, allowing only a single lane of traffic through the territory. February 25 - Polling firm Ipsos releases a poll indicating that 63% of Canadians support the "intervention by police to end the blocking of key transportation corridors", while only 26% oppose police action. Additionally, 60% of Canadians are against the blockades, while 27% are in favour. February 26 - A meeting between Wet'suwet'en hereditary chiefs and the BC and federal governments is cancelled, then rescheduled for February 27. February 27 - A few dozen activists, protesting the pipeline and the OPP actions, block rail lines in Kingston, Ontario for several hours. February 27 - TC Energy agrees to pause construction and the RCMP stops patrolling the Morice Forest Service Road to address the Wet'suwet'en hereditary chiefs' preconditions for talks with government ministers. February 27 - Canadian Crown-Indigenous Relations and Northern Development Minister Carolyn Bennett and B.C.	

No.	QUESTION	RESPONSE
	Indigenous Relations Minister Scott Fraser arrive in Smithers, British Columbia begin two days of talks with the Wet'suwet'en hereditary chiefs. February 28 - Wet'suwet'en matriarchs join the meetings, demanding representation from all of the Wet'suwet'en people. March 2020 March 1 - After extending talks to three days, an agreement on land rights is reached, in the form of a Memorandum of Understanding (MOU). It is to be presented to the Wet'suwet'en Nation for ratification. March 2 - RCMP patrols resume and CGL construction work resumes. March 2 - A CNR rail bridge in Pointe-St-Charles, Quebec is blocked for several hours by protesters, who leave peacefully. March 3 - Via Rail resumes service on their Toronto-Montreal and Toronto-Ottawa lines. March 3 - CNR recalls the 450 workers it had temporarily laid off on February 18. March 3 - A meeting is held at the Centennial Hall in Witset among the Laksilyu (Small Frog Clan), to discuss the tentative agreement reached between the hereditary chiefs and the representatives of the Canadian government. The meeting's attendees agree to the proposal on the spot. March 4 - University students at several universities across Canada walkout and hold protests in support of the Wet'suwet'en. March 4 - The Canadian, Via Rail's Toronto-Vancouver train, resumes partial service, as Via announces it is recalling most of the 1,000 employees "affected by temporary suspensions" starting on February 19. March 5 - The Mohawks of Kahnawake and the Listiguj First Nation dismantle their rail blockades in Quebec.	

No.	QUESTION	RESPONSE
	March 5 - Five indigenous youth from the protest at the B.C. Legislature (which had begun February 11) are arrested, and the protest is dismantled. March 6 - The BC Civil Liberties Association and the Wet'suwet'en release a letter written by BC Minister Farnworth authorizing a redeployment of RCMP resources to support the injunction enforcement. In the BCCLA's opinion, the letter contradicts his later statement that the government does not direct the RCMP's activities. March 7 - Via Rail service has resumed on most routes, after disruption to more than 1,070 trips and roughly 165,000 passengers, according to Via Rail. Via Rail subsequently suspends The Canadian and Ocean services and reduces the frequency on the Winnipeg-Churchill route due to the COVID-19 pandemic, some time after the reinstatement announcement is made. March 8 - The Tsayu (Beaver Clan) hold a meeting at the Centennial Hall in Witset to discuss the tentative agreement reached on March 1. March 10 - Speaking about the blockade on Highway 6 near Six Nations of the Grand River (begun February 24), Haldimand—Norfolk MPP Toby Barrett calls on anyone who can help to "tear down this blockade", citing the fact that businesses in the area are suffering. March 13 - Canada's Parliamentary Budget Officer Yves Giroux releases a report stating that the protests would have very little impact on economic growth, estimating that the impact would amount to a 0.01% fall in GDP, which he characterized as "a blip", and saying earlier warnings of shortages and economic downturn by corporations was "overblown". March 17 - The planned Wet'suwet'en all-clans meeting is postponed indefinitely amid a variety of concerns, including the COVID-	

No.	QUESTION	RESPONSE
	19 pandemic and a death in the community (unrelated to COVID-19). March 19 - The blockade on Highway 6 near Six Nations of the Grand River is removed after protesters and Six Nations chief Mark Hill come together and decide to leave the road and move back to Douglas Creek estates, known in the Mohawk language as Kanonhstaton "the protected place", a site which had been a focal point for the long-standing Grand River land dispute. In a statement issued by the protesters, they say their departure is done "as a sign of good faith". March 20 - The OPP West Region says they are working with the Ministry of Transportation of Ontario (MTO) to remove concrete barriers they had set up around the protest. March 21 - The OPP West Region tweets that Highway 6 is expected to re-open over the (March 21–22) weekend.	
72.	You are aware of the February 17, 2022 attack on Coastal GasLink (CGL) and its employees?	Please see the objection from counsel in Annex 1.
73.	Can you agree with the following description of February 17, 2022 attack on Coastal GasLink (CGL) from a third party source which references RCMP statements: Violence has erupted at a Coastal GasLink pipeline work site in Northern B.C., leaving workers shaken and millions of dollars in damage. Very early Thursday, just after midnight, Coastal GasLink security called RCMP for help, reporting it was under attack by about 20 people, some wielding axes. RCMP Chief Supt. Warren Brown, commander for the north district, called the attack a “calculated and organized violent	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
	attack that left its victims shaken and a multi-million dollar path of destruction.” Coastal GasLink said in a statement the attackers surrounded some of its workers in a “highly planned” and “unprovoked” assault near the Morice River drill pad site off the forest service road. “In one of the most concerning acts, an attempt was made to set a vehicle on fire while workers were inside,” said the company in a statement. “The attackers also wielded axes, swinging them at vehicles and through a truck’s window. Flare guns were also fired at workers.” The company said its workers fled. They were shaken, but no one was physically injured. Coastal GasLink said attackers used grinders to cut locks on a gate, entering an active construction site. They damaged heavy equipment and construction trailers, causing millions of dollars in damage. More precise estimates were not yet available. The attackers also cut equipment hydraulic and fuel lines, causing dangerous leaks. The company said it was working to contain the environmental impact. Photos provided by RCMP showed the extent of the damage to the company’s and contractors’ equipment and property. At least two heavy excavators were toppled on to their sides, trucks were badly damaged and a portable office showed extensive damage to the exterior, with parts of its facade torn down. At the drill pad site, about 12 kilometres further down the road, officers documented damage to heavy machinery, fencing and portables.	
74.	It’s understood that the RCMP created a document in 2021 regarding the status of the Canadian pipeline and railway protests titled	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
	<u>“Royal Canadian Mounted Police Situation Report”</u> that was authored and provided department heads of Indigenous Services Canada and Crown-Indigenous Relations prior to an October 19, 2021 meeting between them and Commissioner Brendan Lucki of the RCMP. The RCMP would have completed such “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022 and February 14, 2022?	
75.	Undertaking 10 of 10 – Will you undertake to produce all or any of the “situation reports” or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022 that were authored or issued by the RCMP prior to the invocation of the Emergencies Act on February 14, 2022?	Please see the objection from counsel in Annex 1.

Annex 1

Court File No.: T-382-22

FEDERAL COURT**BETWEEN:**

**JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS,
and HAROLD RISTAU**

Applicants**- and -**

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, ATTORNEY GENERAL
OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS**

Respondents

**OBJECTIONS TO WRITTEN EXAMINATION QUESTIONS
OF DENIS BEAUDOIN
AFFIDAVIT SWORN APRIL 4, 2022**

No.	QUESTION	OBJECTION
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	The AGC objects to the question as well as the ones following (questions 2-8) in so far as they incorrectly characterize the decision-making process of the GIC in this matter as a "hearing". The GIC decision-making process is a private and confidential one. The GIC does not hold hearings.
12.	Undertaking 1 of 10 – Will you undertake to provide true complete copies of the filled in template and schedules at Exhibit "A" regarding each of the Applicants Edward Cornell and Vincent Gircys that the RCMP provided to the financial institutions?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
21.	Undertaking 2 of 10 - Will you undertake to provide true complete copies of the entire contents of the investigation files of the Applicants, Edward Cornell and Vincent Gircys, regarding any purported activity prohibited by sections 2 to 5 of the	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.

No.	QUESTION	OBJECTION
	Emergency Measures Regulations P.C. 2022-0107?	
36.	On March 7, 2022, you stated that the sole purpose of using the Economic Measures in the Emergency Economic Measures Order, P.C. 2022-0108 was <i>“to clear the downtown area as peacefully as possible”</i> , correct?	This question, like all of those where this objection is given, pertains to evidence Supt Beaudoin provided before a Parliamentary committee. Objection on the grounds of Parliamentary privilege.
37.	By downtown area you mean the downtown area of Ottawa?	Parliamentary privilege.
39.	It is true that on March 7, 2022, you confirmed that you did not see any evidence of terrorist activity in the funding of the protests and purported “blockades”?	Parliamentary privilege.
41.	On March 7, 2022, you stated of the Economic Measures under the Emergency Economic Measures Order, P.C. 2022-0108: <i>“We felt that it was a good measure to put in place. We can see it on a larger scale right now around the world, but restricting people's financial assets certainly played a part in this”</i> . When you said <i>“We can see it on a larger scale right now around the world”</i> you were referring to economic sanctions, like those imposed on Russia, Russians, and Russian oligarchs arising from the Russian invasion of Ukraine, correct?	Parliamentary privilege.
42.	It is true that that the Economic Measures under the Emergency Economic Measures Order, P.C. 2022-0108 are analogous to economic sanctions, like those imposed on Russia, Russians, and Russian oligarchs arising from the Russian invasion of Ukraine?	Calls for irrelevant opinion.
50.	Undertaking 3 of 10 – Can you undertake to produce the information from services providers and financial institutions regarding the Applicants Edward Cornell and Vincent Gircys that was disclosed under s.5 of the Emergency Economic Measures Order, SOR/2022-22 to the Commissioner	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.

No.	QUESTION	OBJECTION
	of the Royal Canadian Mounted Police or to the Director of the Canadian Security Intelligence Service?	
52.	Undertaking 4 of 10 – Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
53.	Undertaking 5 of 10 – Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
56.	Undertaking 6 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council directing that a Proclamation be issued pursuant to subsection 17(1) of the <i>Emergencies Act</i> ?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
57.	Undertaking 7 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning Emergency Measures Regulations?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
58.	Undertaking 8 of 10 – Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.

No.	QUESTION	OBJECTION
	subsection 19(1) of the <i>Emergencies Act</i> and concerning an Emergency Economic Measures Order?	
60.	Undertaking 9 of 10 – If there are records that were before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under s.39 of the <i>Canada Evidence Act</i> , can you undertaking to produce them?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.
61.	As a senior member of the RCMP your familiar with protests and blockades set up throughout Canada that have occurred from 1990 to present?	The AGC objects to Questions 61 – 74 as irrelevant.
62.	You're familiar with the protest and blockade that occurred in 1990 in Oka, Quebec?	Not relevant.
63.	Can you agree with the description of the protest and blockade in 1990 in Oka, Quebec as taken from a third party source: An armed standoff in Oka between Mohawks and the Canadian army ended on Sept. 26, 1990, after 11 weeks. The conflict partly stemmed from the town of Oka's plan to expand a golf course on land the Mohawks claimed. After a failed July 11 police raid in which an officer was killed, Mohawks at the Kahnawake reserve south of Montreal blocked the Mercier Bridge that connects Montreal to its populous south-shore suburbs in a show of support. Trouble later erupted near the Kahnawake reserve shortly after the events at Oka, when a crowd of 400 to 500 bat-toting and rock-launching Mohawk protesters threatened soldiers. By the end, army officials had taken 34 men, 16 women and six young people into custody. In the aftermath of the standoff, Ottawa appointed a royal commission on Aboriginal issues.	Not relevant.

No.	QUESTION	OBJECTION
64.	You're familiar with the protest and blockade that occurred in 1993 in Clayoquot Sound, British Columbia?	Not relevant.
65.	Can you agree with the following description of the protest and blockade in 1993 in Clayoquot Sound, British Columbia as taken from a third party source: More than 700 people were arrested in 1993 during a peaceful three-month anti-logging protest on Vancouver Island. They objected to the B.C. government's logging plan for the Clayoquot, which would have allowed some form of logging in two-thirds of the 350,000 hectares of forest, home to some of Canada's largest and oldest trees. On July 15, police estimated nearly 2,000 people attended a rally in Tofino to hear the Australian rock group Midnight Oil perform in support of the protesters. The band's visit was organized by Greenpeace Canada. In 1995, the B.C. government said clearcutting — when large tracts of forest are stripped of trees — would be replaced with a new form of harvesting that requires loggers to leave more trees standing.	Not relevant.
66.	You're familiar with the protest or blockade that occurred in 1995 in Ipperwash, Ontario?	Not relevant.
67.	Can you agree with the following description of the protest or blockade in 1995 in Ipperwash, Ontario as taken from a third party source: One man was killed during a standoff over a land claim by Chippewa protesters outside Ipperwash Provincial Park on Lake Huron near London, Ont., in September 1995. Dudley George was killed in a confrontation with police at the park on Sept. 6. The land claim dated back more than 50 years and involved an abandoned military base. Nearly three weeks after the shooting, hundreds of people occupied the base and	Not relevant.

No.	QUESTION	OBJECTION
	dozens more refused to leave the park, saying it was the site of a sacred burial ground. A police officer was later convicted of criminal negligence causing death. The standoff by members of the Kettle and Stoney Point First Nation ended on Sept. 13.	
68.	You are familiar with the protest and blockade that occurred in 2013 in Rexton, New Brunswick?	Not relevant.
69.	Can you agree with the following description of the protest and blockade in 2013 in Rexton, New Brunswick as taken from a third party source: Forty people were arrested after RCMP enforced an injunction on Oct. 17, 2013, to prevent people from blocking a compound near Rexton where SWN Resources was storing exploration equipment. Police said they seized guns and improvised explosive devices when they enforced the injunction to end the blockade of the compound. Six police vehicles were burned and police responded with pepper spray and fired beanbag-type bullets to defuse the situation. Among those who opposed shale gas development was the Elsipogtog First Nation. The RCMP blocked Route 134 on Sept. 29 after a protest there began spilling onto the road. Protesters subsequently cut down trees that were placed across another part of the road, blocking the entrance to the compound. The protesters wanted SWN Resources to stop seismic testing and leave the province. In 2014, the Liberal government in New Brunswick brought in an indefinite moratorium on hydraulic fracturing. It also instituted five conditions on allowing fracking, which included a plan for regulations and waste-water disposal, a process for consultation with First Nations,	Not relevant.

No.	QUESTION	OBJECTION
	a royalty structure and a so-called social licence.	
70.	You're familiar with the protest and blockade in 2020 commonly referred to as the "Canadian pipeline and railway protests"?	Not relevant.
71.	Someone online has taken the time to make a full timely of the 2020 "Canadian pipeline and railway protests" in Wikipedia with references, can you agree that the following description and timelines of the 2020 "Canadian pipeline and railway protests from January 5, 2020 to March 21, 2020 is accurate : January 2020 January 5 - Anarchist website North Shore Counter Info releases a callout against rail infrastructure: "To Settlers, by Settlers" which includes instructions and tips for sabotage in solidarity with the Wet'suwet'en. January 7 - The UN Committee on the Elimination of Racial Discrimination calls on Canada to immediately stop the construction of the Coastal GasLink (CGL) and Trans Mountain pipelines and the Site C dam. January 7 - Individuals sabotage three junctions in Hamilton, Ontario shutting down all rail traffic in and out of the city. January 8 - Protestors in Hamilton, Ontario block a main road and rail crossing in solidarity with the Wet'suwet'en. January 11 - BC Human Rights Commissioner Kasari Govender calls for a halt to the CGL pipeline until the affected Indigenous groups consent to the construction. January 16 - UN committee chair Nouredine Amir admits to media that he was unaware that the CGL had broad	Not relevant.

No.	QUESTION	OBJECTION
	Indigenous backing other than the Wet'suwet'en. January 16 - Karen Ogen-Toews, chair of the First Nations LNG Alliance and former Wet'suwet'en elected chief, writes an open letter to the UN asking for a retraction and immediate apology to the 20 First Nations who are in favour of the project. January 20 – Protesters disrupt BC ferry service leaving from Swartz Bay ferry terminal, which is Victoria's main ferry link to the BC mainland. January 23 - Individuals sabotage a rail junction box in Burlington, ON. January 27 - BC Minister of Public Safety and Solicitor General Mike Farnworth declares a provincial emergency under the Provincial Police Service Agreement and authorizes the Royal Canadian Mounted Police (RCMP) to redeploy resources to use in the enforcement of the injunction in a letter to the RCMP Deputy Commissioner. January 30 – The RCMP announces that they would stand down while the hereditary chiefs and the province meet to discuss and try to come to an agreement. February 2020 February 1 - The Office of the Hereditary Chiefs of the Wet'suwet'en give an "eviction notice" to the Coastal GasLink Pipeline construction camp February 3 – The Office of the Wet'suwet'en asks for a judicial review of the environmental approval for the pipeline. February 4 – The hereditary chiefs and the Government of British Columbia issue statements that talks had broken down. February 6 – The RCMP begins enforcing the injunction, arresting 21 persons at camps along the route between February 6 and 9.	

No.	QUESTION	OBJECTION
	February 6 – Near Belleville, Ontario, members of the Mohawks of the Bay of Quinte First Nation begin a blockade of the Canadian National Railway rail line just north of Tyendinaga Mohawk Territory. The line is critical to the CNR network in Eastern Canada as CNR has no other east-west rail lines through Eastern Ontario. February 6 – Via Rail cancels trains on their Toronto-Montreal and Toronto-Ottawa routes. Until February 13, Via Rail announces passenger train cancellations on a day-to-day basis. February 8 – Solidarity protests take place in Toronto and Ottawa. February 8 - A blockade of the Exo's Candiac line south of Montreal in Kahnawake begins. February 9-10 - Individuals set fire to a rail junction box in Hamilton, ON and Guelph, ON. February 10 – Solidarity rallies take place in Nelson, Calgary, Regina, Winnipeg, Sherbrooke, and Halifax. February 10 – Metro Vancouver police arrest 47 persons blocking the Port of Vancouver, Deltaport, and two other ports in Metro Vancouver. February 10 – A blockade goes up on the CNR line west of Winnipeg blocking the trans-Canada passenger rail route. February 10 – The Société de chemin de fer de la Gaspésie (SCFG) freight railway between Gaspé and Matapédia, Quebec is blockaded by members of the Listuguj Mi'gmaq First Nation. February 11 – Prince George-Prince Rupert passenger rail service is suspended. February 11 – The RCMP announces that the road to the construction site was cleared	

No.	QUESTION	OBJECTION
	and TC Energy announced that work would resume the following Monday. February 11 – A solidarity rally surrounds the BC Legislature in Victoria, preventing the traditional ceremonies around the reading of the Throne Speech by the Lieutenant Governor. Members of the Legislature had to have police assistance to enter or used back or side entrances. February 12 - The Wet'suwet'en hereditary chiefs petition the Supreme Court of Canada to declare "Canada has a constitutional duty to keep the country's greenhouse gas emissions within the Paris Agreement limit." February 13 – CNR shuts down its rail lines east of Toronto. February 13 – Via Rail announces the shutdown of its entire network, with the exception of the Sudbury–White River train line and the Winnipeg–Churchill train between Churchill and The Pas, until further notice. February 14 – BC Ferries obtains a preemptive injunction to prevent anticipated future demonstrations from blocking Vancouver-Victoria ferry service. February 15 – The rail blockade of Prince Rupert is lifted. February 15 - Over 200 people block Macmillan Yard - the second largest railyard in Canada - in solidarity. February 15 – Indigenous Services Minister Marc Miller meets the Mohawks in a ceremonial encounter on the CNR train tracks to renew a 17th Century treaty between the Iroquois and the British Crown known as the Silver Covenant Chain. Miller and the leaders of Tyendinaga then discussed the blockade. Miller asked for a temporary drawback of the protest but his request was refused after Wet'suwet'en hereditary Chief Woos, who was on the	

No.	QUESTION	OBJECTION
	phone, stated that the RCMP was still on his territory and "they are out there with guns, threatening us." Leaked audio of the meetings included a Mohawk resident in the meeting telling the minister to "Get the red coats out first, get the blue coats out ... then we can maybe have some common discussions". February 16 – A demonstration temporarily blocks the Rainbow Bridge border crossing in Niagara Falls, Ontario. February 17 – A demonstration temporarily blocks the Thousand Islands Bridge border crossing in Ivy Lea, Ontario. February 18 – CNR temporarily lays off 450 employees for reasons related to the pipeline disruptions (they are recalled March 3). February 18 – Opposition leader Andrew Scheer condemns the federal government's response, calling it "the weakest response to a national crisis in Canadian history. Will our country be one of the rule of the law, or will our country be one of the rule of the mob?". Prime Minister Justin Trudeau holds a private meeting with the other opposition parties' leaders, barring Scheer after his comments. February 18 – The Assembly of First Nations (AFN) holds a press conference in Ottawa. AFN National Chief Perry Bellegarde called for all parties to engage in dialogue. "It's on everybody. It's not on any one individual. I'm just calling on all the parties to come together, get this dialogue started in a constructive way." February 19 – A blockade is set up on the Mont-Saint-Hilaire rail line in Saint-Lambert, Quebec, promising to stay until the RCMP leaves the disputed zone in Wet'suwet'en territory. The blockade caused Via Rail to postpone resuming service between Montreal and Quebec City.	

No.	QUESTION	OBJECTION
	February 19 - Individuals sabotage a rail line in Toronto, ON. February 19 – A group of about 20 members of a group calling itself the "Cuzzins for Wet'suwet'en" erects a blockade on a CN rail line in west Edmonton. CN obtains a court injunction, and less than twelve hours after the blockade began, it was dismantled by counter-protesters after a CN legal representative arrived to serve the injunction. February 19 – Via Rail announces temporary layoffs of up to 1,000 people due to the blockades. February 20 – The RCMP offers to close its Community Industry Security Office (CISO) on the Morice Road. February 20 – Another blockade of CPR tracks springs between Kamloops and Chase in British Columbia. The protesters left voluntarily on February 21, after the RCMP offered to leave the Wet'suwet'en land. The group vowed to return in four days if a dialogue was not started between the prime minister and the hereditary chiefs. February 20 - The Civilian Review and Complaints Commission (CRCC) for the RCMP issues a letter critical of RCMP procedures in the "checkpoint and exclusion zone" implemented on the Morice West Forest Service Road, stating the RCMP went beyond its legal authority to do ID checks of activists and searches of activists' vehicles. February 20 - Wetsuweten hereditary matriarch Rita George speaks out against the protests, saying they were not supported by the matriarchs and that the protesters are not following ancestral ways. February 21 – The Mont-Saint-Hilaire rail line is cleared after the Sûreté du Québec police arrive to enforce a CNR injunction	

No.	QUESTION	OBJECTION
	February 21 – Prime Minister Trudeau calls for the barricades to come down. February 21 – The British Columbia Environmental Assessment Office (EAO) served notice that Coastal GasLink must halt construction on that segment and enter into talks with the Wet'suwet'en over the next 30 days. February 21 – Wet'suwet'en supporters block CNR rail lines near Moncton, New Brunswick. February 22 – After the hereditary chiefs made it a condition for talks with the federal government, the RCMP closes their CISO onsite office and moves to their detachment in Houston. February 22 - Anarchists in Hamilton, ON release a statement promising to blockade rails if the OPP clear the Tyendinaga blockade. February 23 – Mohawks at the Tyendinaga rail blockade are given notice by the OPP to clear their blockade by midnight to avoid prosecution for disobeying the injunction against the blockade. February 24 – The Tyendinaga Mohawks do not vacate the site. The OPP removes the blockade, arresting several of the protesters. February 24 – Immediately following the police action, new protests spring up in the province of Quebec, including a temporary rolling blockade of the Honoré Mercier Bridge near Montreal by Mohawks from Kahnawake, a new rail blockade by the Listuguj Mi'gmaq in the Gaspé Peninsula, and a barricade of Route 344 which was the site of the 1990 Oka Crisis. February 24 – Rail blockades come down in New Brunswick after being served with an injunction. February 24 – New protests form in British Columbia, blocking the BC Legislature, the	

No.	QUESTION	OBJECTION
	Port of Vancouver and rail lines in Hazelton and Kamloops. In Hazelton, 14 protesters, including three Gitksan hereditary chiefs, are arrested. They are released overnight. February 24 - In a statement signed and supported by over 200 Canadian lawyers, Beverly Jacobs and Sylvia McAdam of the University of Windsor, Alex Neve of Amnesty International, and Harsha Walia of the BC Civil Liberties Association state that is the Canadian governments that are breaking international law, not the Wetsuweten hereditary chiefs and call for an end to the violation of indigenous persons' right to free, prior and informed consent. February 24 – Members of the Mohawk Nation (Bear Clan) from the Six Nations of the Grand River First Nation block Ontario Highway 6 in Caledonia in solidarity with the Wet'suwet'en. February 25 – Members of the Six Nations of the Grand River First Nation set up a rail blockade in Hamilton, causing the cancellation of train service between Aldershot and Niagara Falls stations. The GO Metrolinx agency replaced the rail service with shuttle buses. February 25 - A demonstration blocks commuter rail lines in Toronto, causing suspension of GO train service for several hours. Several protesters are arrested. February 25 - In Kanesatake, the blockade is reduced on Highway 344, allowing only a single lane of traffic through the territory. February 25 - Polling firm Ipsos releases a poll indicating that 63% of Canadians support the "intervention by police to end the blocking of key transportation corridors", while only 26% oppose police action. Additionally, 60% of Canadians are against the blockades, while 27% are in favour.	

No.	QUESTION	OBJECTION
	February 26 - A meeting between Wet'suwet'en hereditary chiefs and the BC and federal governments is cancelled, then rescheduled for February 27. February 27 - A few dozen activists, protesting the pipeline and the OPP actions, block rail lines in Kingston, Ontario for several hours. February 27 - TC Energy agrees to pause construction and the RCMP stops patrolling the Morice Forest Service Road to address the Wet'suwet'en hereditary chiefs' preconditions for talks with government ministers. February 27 - Canadian Crown-Indigenous Relations and Northern Development Minister Carolyn Bennett and B.C. Indigenous Relations Minister Scott Fraser arrive in Smithers, British Columbia begin two days of talks with the Wet'suwet'en hereditary chiefs. February 28 - Wet'suwet'en matriarchs join the meetings, demanding representation from all of the Wet'suwet'en people. March 2020 March 1 - After extending talks to three days, an agreement on land rights is reached, in the form of a Memorandum of Understanding (MOU). It is to be presented to the Wet'suwet'en Nation for ratification. March 2 - RCMP patrols resume and CGL construction work resumes. March 2 - A CNR rail bridge in Pointe-St-Charles, Quebec is blocked for several hours by protesters, who leave peacefully. March 3 - Via Rail resumes service on their Toronto-Montreal and Toronto-Ottawa lines. March 3 - CNR recalls the 450 workers it had temporarily laid off on February 18.	

No.	QUESTION	OBJECTION
	March 3 - A meeting is held at the Centennial Hall in Witset among the Laksilyu (Small Frog Clan), to discuss the tentative agreement reached between the hereditary chiefs and the representatives of the Canadian government. The meeting's attendees agree to the proposal on the spot. March 4 - University students at several universities across Canada walkout and hold protests in support of the Wet'suwet'en. March 4 - The Canadian, Via Rail's Toronto-Vancouver train, resumes partial service, as Via announces it is recalling most of the 1,000 employees "affected by temporary suspensions" starting on February 19. March 5 - The Mohawks of Kahnawake and the Listiguj First Nation dismantle their rail blockades in Quebec. March 5 - Five indigenous youth from the protest at the B.C. Legislature (which had begun February 11) are arrested, and the protest is dismantled. March 6 - The BC Civil Liberties Association and the Wet'suwet'en release a letter written by BC Minister Farnworth authorizing a redeployment of RCMP resources to support the injunction enforcement. In the BCCLA's opinion, the letter contradicts his later statement that the government does not direct the RCMP's activities. March 7 - Via Rail service has resumed on most routes, after disruption to more than 1,070 trips and roughly 165,000 passengers, according to Via Rail. Via Rail subsequently suspends The Canadian and Ocean services and reduces the frequency on the Winnipeg-Churchill route due to the COVID-19 pandemic, some time after the reinstatement announcement is made. March 8 - The Tsayu (Beaver Clan) hold a meeting at the Centennial Hall in Witset to	

No.	QUESTION	OBJECTION
	discuss the tentative agreement reached on March 1. March 10 - Speaking about the blockade on Highway 6 near Six Nations of the Grand River (begun February 24), Haldimand—Norfolk MPP Toby Barrett calls on anyone who can help to "tear down this blockade", citing the fact that businesses in the area are suffering. March 13 - Canada's Parliamentary Budget Officer Yves Giroux releases a report stating that the protests would have very little impact on economic growth, estimating that the impact would amount to a 0.01% fall in GDP, which he characterized as "a blip", and saying earlier warnings of shortages and economic downturn by corporations was "overblown". March 17 - The planned Wet'suwet'en all-clans meeting is postponed indefinitely amid a variety of concerns, including the COVID-19 pandemic and a death in the community (unrelated to COVID-19). March 19 - The blockade on Highway 6 near Six Nations of the Grand River is removed after protesters and Six Nations chief Mark Hill come together and decide to leave the road and move back to Douglas Creek estates, known in the Mohawk language as Kanonhstaton "the protected place", a site which had been a focal point for the long-standing Grand River land dispute. In a statement issued by the protesters, they say their departure is done "as a sign of good faith". March 20 - The OPP West Region says they are working with the Ministry of Transportation of Ontario (MTO) to remove concrete barriers they had set up around the protest. March 21 - The OPP West Region tweets that Highway 6 is expected to re-open over the (March 21–22) weekend.	

No.	QUESTION	OBJECTION
72.	You are aware of the February 17, 2022 attack on Coastal GasLink (CGL) and its employees?	Not relevant.
73.	Can you agree with the following description of February 17, 2022 attack on Coastal GasLink (CGL) from a third party source which references RCMP statements: Violence has erupted at a Coastal GasLink pipeline work site in Northern B.C., leaving workers shaken and millions of dollars in damage. Very early Thursday, just after midnight, Coastal GasLink security called RCMP for help, reporting it was under attack by about 20 people, some wielding axes. RCMP Chief Supt. Warren Brown, commander for the north district, called the attack a “calculated and organized violent attack that left its victims shaken and a multi-million dollar path of destruction.” Coastal GasLink said in a statement the attackers surrounded some of its workers in a “highly planned” and “unprovoked” assault near the Morice River drill pad site off the forest service road. “In one of the most concerning acts, an attempt was made to set a vehicle on fire while workers were inside,” said the company in a statement. “The attackers also wielded axes, swinging them at vehicles and through a truck’s window. Flare guns were also fired at workers.” The company said its workers fled. They were shaken, but no one was physically injured. Coastal GasLink said attackers used grinders to cut locks on a gate, entering an active construction site. They damaged heavy equipment and construction trailers,	Not relevant.

No.	QUESTION	OBJECTION
	causing millions of dollars in damage. More precise estimates were not yet available. The attackers also cut equipment hydraulic and fuel lines, causing dangerous leaks. The company said it was working to contain the environmental impact. Photos provided by RCMP showed the extent of the damage to the company's and contractors' equipment and property. At least two heavy excavators were toppled on to their sides, trucks were badly damaged and a portable office showed extensive damage to the exterior, with parts of its facade torn down. At the drill pad site, about 12 kilometres further down the road, officers documented damage to heavy machinery, fencing and portables.	
74.	It's understood that the RCMP created a document in 2021 regarding the status of the Canadian pipeline and railway protests titled "Royal Canadian Mounted Police Situation Report" that was authored and provided department heads of Indigenous Services Canada and Crown-Indigenous Relations prior to an October 19, 2021 meeting between them and Commissioner Brendan Lucki of the RCMP. The RCMP would have completed such "situation reports" or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022 and February 14, 2022?	Not relevant.
75.	Undertaking 10 of 10 – Will you undertake to produce all or any of the "situation reports" or like reports with a different title regarding the protests and purported blockades in Ottawa and throughout Canada between January 27, 2022, and February 14, 2022 that were authored or issued by the RCMP prior to the invocation of the Emergencies Act on February 14, 2022?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.

Court File No. T-382-22

FEDERAL COURT

B E T W E E N:

**JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS,
and HAROLD RISTAU**

Applicants

and

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA,
ATTORNEY GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY
AND EMERGENCY PREPAREDNESS**

Respondents

AFFIDAVIT OF STEVEN SHRAGGE

I, Steven Shragge, Senior Policy Advisor with the Privy Council Office, Security and Intelligence Secretariat, of the City of Ottawa in the Province of Ontario, AFFIRM
THAT:

1. The answers set out in **Exhibit A** to this affidavit, in response to the written questions submitted by the Applicants on May 16, 2022, are true, to the best of my information, knowledge and belief.

2. Further, I attach copies of two unclassified Integrated Terrorism Assessment Centre (ITAC) Threat Highlight reports referred to in the written examination. Attached hereto and marked as **Exhibit B** is a copy of the Threat Highlight report numbered TH 22/08-A, dated 27 January 2022. Attached hereto and marked as **Exhibit C** is Threat Highlight report numbered TH 22/11-E, dated 8 February 2022.

3. I make this affidavit *bona fide*.

AFFIRMED BEFORE ME at the City of)
 Ottawa, in the Province of Ontario)
 This 15th day of June, 2022)
)
)
)
)
)


 Commissioner for Taking Affidavit

LSO 63497W


 STEVEN SHRAGGE

This is **Exhibit "A"** referred to
in the affidavit of
Steven Shragge
Affirmed before me this 15th day
of **June, 2022.**



A Commissioner for taking affidavits

U6 63497W

EXHIBIT A

ANSWERS TO WRITTEN EXAMINATION OF STEVEN SHRAGGE

1. I previously swore an affidavit on April 4, 2022 in this matter. This exhibit contains my answers to the written examination, which was served on counsel for the Respondent on May 16, 2022. Below is the chart setting out each question and the answer to that question or noting where an objection to the question has been made by counsel for the Respondent. Attached hereto as Annex 1 to Exhibit “A” is a chart prepared by counsel for the Respondent setting out those objections and refusals maintained by counsel for the Respondent and the basis for same.

No.	QUESTION	RESPONSE
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 14, 2022 regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I did not give evidence or submissions to the Governor-in-Council (GIC) regarding whether to issue a Proclamation declaring the existence of a Public Order Emergency.
2.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 14, 2022 regarding whether to issue the Order-in-Council: Order directing Special Temporary Measures for Public Order Emergency, P.C. 2022-0106?	I did not.
3.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 15, 2022 regarding whether to issue the Order in Council: Emergency Measures Regulations, P.C. 2022-0107?	I did not.
4.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 15, 2022 regarding whether to issue Order in Council: Emergency Measures Regulations, P.C. 2022-0108?	Order in Council: Emergency Measures Regulations, P.C. 2022-0108 is not the correct number. The correct number is Order in Council: Emergency Measures Regulations, P.C. 2022-0107 (as stated in Q3).

No.	QUESTION	RESPONSE
5.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 15, 2022 regarding whether to issue the Order in Council: Emergency Economic Measures Order, P.C. 2022-0108?	I did not.
6.	You were not present before the Governor in Council when any of the hearings on February 14, 2022 and February 15, 2022 referred to in questions [1] through [5] herein took place?	I was not present before the Governor-in-Council during the decision making process of the GIC on February 14 or 15, 2022.
7.	You have no knowledge of any of the evidence in your affidavit, including any of its exhibits, being before the Governor in Council when any of the hearings on February 14, 2022 and February 15, 2022 referred to in questions [1] through [5] herein took place?	I have no knowledge as to whether any of the evidence in my affidavit, including any of its exhibits, was before the GIC when it made its decisions on February 14, 2022 and February 15, 2022.
8.	You are not the author of the document at Exhibit "A" of your affidavit?	Subject to counsel's objection in Annex 1, my answer is: I did not participate in the drafting of the explanation of the reasons for declaring a Public Order Emergency.
9.	The Governor-in-Council is not the author of the document at Exhibit "A" of your affidavit?	Subject to counsel's objection in Annex 1, my answer is: I did not note the listing of the Governor-in-Council as the author in the explanation. I am aware that the explanation was prepared by the Government of Canada and tabled in Parliament by the Minister of Public Safety and Emergency Preparedness.
10.	There is no author listed for the document at Exhibit "A" of your affidavit?	Subject to counsel's objection in Annex 1, my answer is: I did not note the listing of a specific author in the explanation.

No.	QUESTION	RESPONSE
		I am aware that the explanation was prepared by the Government of Canada and tabled in Parliament by the Minister of Public Safety and Emergency Preparedness.
11.	The Governor-in-Council is not the author of the document at Exhibit "B" of your affidavit?	Subject to counsel's objection in Annex 1, my answer is: I did not note the listing of the Governor-in-Council as the author in the Report. I am aware that the Report was prepared by the Government of Canada and tabled in Parliament by the Minister of Public Safety and Emergency Preparedness.
12.	Except for the letter authored by the Prime Minister annexed thereto, there is no author listed for the document at Exhibit "B" of your affidavit?	Subject to counsel's objection in Annex 1, my answer is: I have no direct knowledge of who specifically authored the document. I am aware that the Report was prepared by the Government of Canada and tabled in Parliament by the Minister of Public Safety and Emergency Preparedness.
13.	To your knowledge, did any of the Premiers of the Provinces in the consultation referred to in the letter of the Prime Minister annexed to Exhibit "B" support the invocation of the Emergencies Act , and if so, which ones?	Subject to counsel's objection in Annex 1, my answer is: Beyond what was stated in the report, I have no knowledge on the positions of the Premiers of the Provinces referred to in the letter of the Prime Minister annexed to Exhibit B.
14.	You will understand that when I refer to the Government of Canada hereafter, I am referring to the body responsible for the federal administration of Canada?	Yes, I accept the meaning of this definition when used.

No.	QUESTION	RESPONSE
15.	You will understand that when I refer to the Government of Canada it includes, but is not limited to, the executive branch being the Ministers of the Crown, Cabinet, and the federal civil service?	Yes, I accept this meaning of “Government of Canada” when used.
Integrated Terrorism Assessment Centre		
16.	As the Senior Policy Advisor with the Security and Intelligence Secretariat of the Privy Council, you have access to threat assessments completed by the Integrated Terrorism Assessment Centre (hereinafter referred to as “ITAC”)?	Yes, as I have access to the Integrated Terrorist Assessment Centre (ITAC) products in my role at PCO.
17.	ITAC is a federal government organization responsible for assessing terrorism threats to Canada and Canadian interests worldwide?	Yes, ITAC is one of the Government of Canada organizations responsible for assessing terrorism threats with a Canadian nexus. This includes ITAC assessing and recommending the National Terrorism Threat Level (NTTL) for Canada and Canadian interests abroad.
18.	ITAC is co-located with the Canadian Security Intelligence Service (CSIS) at its headquarters in Ottawa, Ontario?	Yes.
19.	ITAC operates under the provisions and authorities of the Canadian Security Intelligence Service Act, R.S.C., 1985, c. C-23?	It is my general understanding that ITAC operates under relevant provisions and authorities of the Canadian Security Intelligence Service Act.

No.	QUESTION	RESPONSE
20.	The products of ITAC support the decision-making needs of senior federal leaders?	ITAC products are an important source of information for senior federal leaders and are intended to provide an integrated and timely assessment of terrorist threats. In addition to ITAC reports, senior federal leaders are often provided advice, information, and unclassified and/or classified intelligence by a number of security agencies on terrorism or other national security issues to promote a comprehensive understanding of issues and considerations. Generally speaking this may take the form of written and/or oral briefs. For example, the following departments or agencies may also provide information to support the decision making needs of senior federal leaders as determined by the scope and context of each national security issue: • Royal Canadian Mounted Police (RCMP) – primary responsibility for the investigation, prevention and prosecution of criminal activities related to terrorism and national security; • Canadian Security Intelligence Service – Investigation and reporting of activities suspected of constituting threats to the security of Canada, per the CSIS Act. • Communications Security Establishment – Collects foreign signals intelligence on foreign threats to Canada’s national security; and • Canada Border Services Agency – Ensures border integrity and supports the RCMP and other agencies engaged in threat management and event response.

No.	QUESTION	RESPONSE
21.	ITAC employs professionals from departments and agencies within Canadian governments' security and intelligence community?	While I do not have an in-depth understanding or personal experience working at ITAC, to the best of my knowledge ITAC employs security professionals from various organizations within Canada's security and intelligence community.
22.	ITAC produces terrorism threat assessments that are based on classified and open-source information?	Yes, ITAC produces terrorism threat assessments that are derived from classified and/or non-classified information.
23.	The products of ITAC are shared with domestic law enforcement, including federal, provincial and municipal police?	Based on my working experience I believe that ITAC reports are made available to members of the security and intelligence community including law enforcement organizations at the federal, provincial, and municipal levels as a general practice. These products may be of various security classifications which can influence the degree to which reports may be disseminated. I have no direct knowledge on the distribution of specific ITAC reports to law enforcement agencies during the days leading up to invoking of the <i>Emergencies Act</i>.
24.	ITAC assessments provide senior-level decision makers with the latest and most detailed threat information, which helps them to assess the overall threat and risk level, and to make efforts to mitigate the possibility or impact, of terrorism?	Yes, ITAC products are an important source of information on terrorist threats that senior decision makers may consider when determining how best to manage risks within their respective authorities. However, as I've mentioned, ITAC does not have the exclusive authority over analyzing issues related to terrorist threats or violent extremism in Canada or providing information on these issues to decision makers. In particular, the Royal Canadian Mounted Police and Canadian Security Intelligence Service play lead roles in this space. Under their respective authorities each may collect information and

No.	QUESTION	RESPONSE
		investigate issues related to terrorist threats, threats to national security, and/or suspected criminal activities. Depending on the circumstances, other security departments or agencies may contribute additional information or context to decision makers on a security issue based on its implications.
25.	ITAC conducts National Terrorism Threat Level assessments?	Yes, ITAC conducts NTTL assessments as part of its mandate. However, other law enforcement and intelligence agencies (e.g. RCMP & CSIS) also conduct analysis on terrorism, conduct investigations, and provide information to decision makers consistent with their authorities and mandates.
26.	ITAC's National Terrorism Threat Level assessments assess the risk or likelihood of a violent act of terrorism?	Canada's NTTLs are determined by ITAC and represent the likelihood of a violent act of terrorism occurring in Canada. ITAC's assessments are rigorous and draws upon information and a wide array of intelligence from Canadian and international security partners. However, they recognize information may not always be complete. As such, it is important to keep in mind that an act of terrorism may occur without warning irrespective of the threat level.
27.	ITAC's National Terrorism Threat Level assessments are used by government and law enforcement agencies to mitigate the potential effects of terrorism incidents in Canada and abroad?	I have a general understanding that government departments and law enforcement agencies use ITAC's NTTL assessments as part of decision-making processes and to maintain situational awareness with respect to terrorist incidents. In my professional judgement and experience the NTTL's are an important source of information. However, as I've mentioned, other security departments, law enforcement, and security agencies also analyze and

No.	QUESTION	RESPONSE
		provide information on terrorist threats or violent extremism in Canada. Finally, it is important to recognize that threat information is not the only factor considered when determining the level of risk and how best to manage risks and mitigate the potential impacts of terrorism. The effectiveness or vulnerability of security measures to specific types of terrorist attacks is another key factor which is often considered in my experience. In such cases, decision makers can consider information and analysis that helps them to understand the degree to which measure are likely to detect or prevent a specific type of terrorist attack. Generally speaking this may draw upon different types of information from government departments (e.g. operational data), security agencies, and stakeholders.
28.	One of the purposes of ITAC's National Terrorism Threat Level assessments is to ensure a consistent understanding across the Government of the general terrorism threat to Canada?	Yes, that is correct.
29.	ITAC's National Terrorism Threat Level assessments have five (5) levels: Very Low, Low, Medium, High, and Critical?	Yes, that is correct.
30.	A ITAC National Terrorism Threat Level assessment of Very Low means a violent act of terrorism is possible but very unlikely, and measures are in place to keep Canadians safe?	My understanding is that ITAC's definition of Very Low for the national terrorism threat level means that ITAC assesses a violent act of terrorism is highly unlikely. While I note that a visual representation of the definition you offer is on public Government websites, I do not recall encountering this latter portion referencing "measures" in my experience.

No.	QUESTION	RESPONSE
		ITAC is best placed to provide precise details on the process and methods. As I understand it, the NTTLs are determined by ITAC based upon the assessed likelihood an individual or group may commit an act of terrorism. I believe this includes the consideration of intent, capabilities, and opportunities to carry out terrorist attacks as key factors.
31.	A ITAC National Terrorism Threat Level assessment of Low means a violent act of terrorism is possible but unlikely, and measures are in place to keep Canadians safe?	My understanding is that ITAC's definition of Low for Canada's national terrorism threat level means that ITAC assesses a violent act of terrorism is possible but unlikely. While I note that a visual representation of the definition you offer is on public Government websites, I do not recall encountering this latter portion referencing "measures" in my experience. ITAC is best placed to provide precise details on the process and methods. As I understand it, the NTTLs are determined by ITAC based upon the assessed likelihood an individual or group may commit an act of terrorism. I believe this includes the consideration of intent, capabilities, and opportunities to carry out terrorist attacks as key factors.

No.	QUESTION	RESPONSE
32.	A ITAC National Terrorism Threat Level assessment of Medium means a violent act of terrorism could occur, and additional measures are in place to keep Canadians safe?	My understanding is that ITAC's definition of Medium for Canada's national terrorism threat level means that ITAC assesses a violent act of terrorism could occur. While I note that a visual representation of the definition you offer is on public Government websites, I do not recall encountering this latter portion referencing "measures" in my experience. ITAC is best placed to provide precise details on the process and methods. As I understand it, the NTTLs are determined by ITAC based upon the assessed likelihood an individual or group may commit an act of terrorism. I believe this includes the consideration of intent, capabilities, and opportunities to carry out terrorist attacks as key factors.
33.	A ITAC National Terrorism Threat Level assessment of High means a violent act of terrorism is likely, heightened measures are in place to keep Canadians safe, and Canadians are informed what action to take?	My understanding is that ITAC's definition of High for Canada's national terrorism threat level means that ITAC assesses a violent act of terrorism is likely. While I note that a visual representation of the definition you offer is on public Government websites, I do not recall encountering this latter portion referencing "measures" in my experience. ITAC is best placed to provide precise details on the process and methods. As I understand it, the NTTLs are determined by ITAC based upon the assessed likelihood an individual or group may commit an act of terrorism. I believe this includes the consideration of intent, capabilities, and opportunities to carry out terrorist attacks as key factors.
34.	A ITAC National Terrorism Threat Level assessment of Critical means a violent act of terrorism is highly likely and could occur	My understanding is that ITAC's definition of Very High for Canada's national terrorism threat level means that

No.	QUESTION	RESPONSE
	imminently, exceptional measures are in place to keep Canadians safe, and Canadians are informed what action to take?	ITAC assesses a violent act of terrorism is highly likely and could occur imminently. While I note that a visual representation of the definition you offer is on public Government websites, I do not recall encountering this latter portion referencing “measures” in my experience. ITAC is best placed to provide precise details on the process and methods. As I understand it, the NTTLs are determined by ITAC based upon the assessed likelihood an individual or group may commit an act of terrorism. I believe this includes the consideration of intent, capabilities, and opportunities to carry out terrorist attacks as key factors.
35.	On January 27, 2022, the ITAC National Terrorism Threat Level assessment was Medium?	Yes, to the best of my knowledge the ITAC National Terrorism Threat Level was Medium on January 27, 2022.
36.	On February 8, 2022, the ITAC National Terrorism Threat Level assessment was Medium?	Yes, to the best of my knowledge the ITAC National Terrorism Threat Level was Medium on February 8, 2022.
37.	As of February 14, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC after February 8, 2022 indicated National Terrorism Threat Level above Medium?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium.
38.	As of February 15, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC after February 8, 2022 indicated National Terrorism Threat Level above Medium?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium
39.	Between January 27, 2022 and February 14, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC indicated a National Terrorism Threat Level of High?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium

No.	QUESTION	RESPONSE
40.	Between January 27, 2022 and February 15, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC indicated a National Terrorism Threat Level of High?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium
41.	Between January 27, 2022 and February 14, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC indicated a National Terrorism Threat Level of Critical?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium
42.	Between January 27, 2022 and February 15, 2022, no ITAC National Terrorism Threat Level assessment carried out by ITAC indicated a National Terrorism Threat Level of Critical?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium
43.	From December 31, 2020 through to and including February 15, 2022, the ITAC National Terrorism Threat Level assessment has been Medium?	To the best of my knowledge the National Terrorism Threat level remained unchanged from Medium
44.	As the Senior Policy Advisor with the Security and Intelligence Secretariat of the Privy Council, you are familiar with the unclassified version of the Government of Canada's "Federal Terrorism Response Plan: Domestic Concept of Operation" that is attached hereto to this written interrogatory and marked as Exhibit "1"?	Yes, I am generally familiar with the Federal Terrorism Response Plan but do not work with it on a day-to-day basis. In reviewing the document I noted that some references such as the Cabinet committee structure are out of date.
45.	And you can agree that at p. 8 of Exhibit "1" attached hereto, that the ITAC National Terrorism Threat Level assessment is explained?	The description on page 8 of the referenced document provides a very high-level overview of ITAC's National Threat Level assessment which is generally consistent with how I understand it. However, while I note that a visual representation of the definition you offer is on public websites, I do not recall encountering this latter portion referencing "measures" in my experience. ITAC is best placed to provide precise details on the process and methods it applies to its NTTL process.

No.	QUESTION	RESPONSE
46.	<i>Mark a Full Exhibit 1</i> The Respondents agree that the Government of Canada's "Federal Terrorism Response Plan: Domestic Concept of Operation" that is attached hereto and marked as Exhibit "1" can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	Subject to counsel's objection in Annex 1, my answer is: I do not work with the Federal Terrorism Response Plan on a regular basis. I note some of the references to Cabinet committees are out of date and as such cannot confirm with certainty that this is the most up-to-date version of the document.
47.	On January 27, 2022 ITAC released a document titled "Threat Highlight" and numbered as TH 22/08-A // 2022-01017 (hereinafter "Threat Highlight Jan 27")?	Yes, I am aware that ITAC released a Threat Highlight report numbered TH 22/08-A on 27 January 2022.
48.	You can access a true copy to the Threat Highlight Jan 27?	Yes I can.
49.	The Threat Highlight Jan 27 was provided by ITAC to police and government officials across Canada?	I am aware that the document in question was available to authorized individuals on a secure website used to share such reports. I have no direct or specific knowledge of which officials, organizations, or police agencies accessed or received this report.
50.	The Threat Highlight Jan 27 indicated that ITAC's National Terrorism Threat Level assessment was Medium?	Subject to counsel's objection in Annex 1, please see the January 27, 2022 ITAC report attached as Exhibit "B".
51.	The Threat Highlight Jan 27 indicated that protestors in a convoy of Canadian truck drivers and supports were expected to arrive in Ottawa, Ontario around January 28th and 29th of 2022?	Subject to counsel's objection in Annex 1, please see the January 27, 2022 ITAC report attached as Exhibit "B".
52.	The Threat Highlight Jan 27 indicated that Parliament returns from Christmas adjournment on January 31, 2022 and this return could motivate a dedicated group of protestors to prolong their protest in Ottawa and seek interaction with Canadian politicians?	Subject to counsel's objection in Annex 1, please see the January 27, 2022 ITAC report attached as Exhibit "B".
53.	The Threat Highlight Jan 27 indicated that a coordinated, complex terrorist attack or planned	Subject to counsel's objection in Annex 1, please see the January 27, 2022 ITAC report attached as Exhibit "B".

No.	QUESTION	RESPONSE
	storming of Parliament or other federal locations was unlikely?	
54.	On February 8, 2022 ITAC released a document titled "Threat Highlight" and numbered as TH 22/11-E // 2022-02-08) hereafter "Threat Highlight Feb 8")?	Yes, I am aware that ITAC released a Threat Highlight report numbered TH 22/11-E on 8 February 2022.
55.	You can access a true copy of the Threat Highlight Feb 8?	Yes. Please see Exhibit "C" attached hereto.
56.	The Threat Highlight Feb 8 indicated that ITAC's National Terrorism Threat Level assessment was Medium?	Subject to counsel's objection in Annex 1, please see the February 8, 2022 ITAC report attached as Exhibit "C" to this affidavit.
57.	The Threat Highlight Feb 8 indicated that ITAC assessed the likelihood of a coordinated, complex terrorist attack or a planned storming of Parliament, legislatures, or government offices as unlikely?	Subject to counsel's objection in Annex 1, please see the February 8, 2022 ITAC report attached as Exhibit "C" to this affidavit.
58.	The Threat Highlight Feb 8 indicated that ITAC's opinion was that protestors in Ottawa seeking to undertake legitimate protest were distinct from actors espousing violence?	Subject to counsel's objection in Annex 1, please see the February 8, 2022 ITAC report attached as Exhibit "C" to this affidavit.
59.	The Threat Highlight Feb 8 indicated that the threat of real violence would come from the possibility of "potential lone actor attackers", not the legitimate protestors?	Subject to counsel's objection in Annex 1, please see the February 8, 2022 ITAC report attached as Exhibit "C" to this affidavit.
60.	As the Senior Policy Advisor with the Security and Intelligence Secretariat of the Privy Council, you can access true copies of all of the "Threat Highlight" documents released by ITAC?	Yes I can.
61.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue a assessment, report of "Threat Highlight" document indicating the threat of activities directed toward undermining destruction or overthrow by violence of the constitutionally	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.

No.	QUESTION	RESPONSE
	established system of government in Canada, was high?	
62.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the threat of activities directed toward undermining, destroying or overthrowing by violence of the constitutionally established system of government in Canada, was likely?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
63.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a high threat of espionage or sabotage that is against Canada or is detrimental to the interests of Canada or activities directed toward or in support of such espionage or sabotage?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
64.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a likely threat of espionage or sabotage that is against Canada or is detrimental to the interests of Canada or activities directed toward or in support of such espionage or sabotage?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
65.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada were foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
66.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.

No.	QUESTION	RESPONSE
	at borders throughout Canada were activities within or relating to Canada directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political, religious or ideological objective within Canada or a foreign state?	
67.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a high threat of activities within or relating to Canada directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political, religious or ideological objective within Canada or a foreign state?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
68.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a likely threat of activities within or relating to Canada directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political, religious or ideological objective within Canada or a foreign state?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
69.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada seriously endangered the lives, health or safety of Canadians?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
70.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a high	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.

No.	QUESTION	RESPONSE
	threat of seriously endangering the lives, health or safety of Canadians?	
71.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a likely threat of seriously endangering the lives, health or safety of Canadians?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
72.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada seriously threatened the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
73.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a high threat to the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
74.	At no time between January 27, 2022 and February 14, 2022 did ITAC issue an assessment, report, or "Threat Highlight" document indicating the protests in Ottawa and at borders throughout Canada posed a likely threat to the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada?	I have no knowledge of whether or not ITAC issued an assessment report on this specific issue during this time period.
75.	<i>Undertaking 1 of 9</i> Can you undertake to provide true copies of all "Threat Highlight" documents released or dated by ITAC between January 26, 2022 and February 15, 2022?	Subject to counsel's objection set out in Annex 1, my answer is: I have access to copies of ITAC Threat Highlight documents from this time period which are not to be disclosed publicly and include classified information.

No.	QUESTION	RESPONSE
76.	<i>Undertaking 2 of 9</i> Further, and in particular, can you undertake to provide true copies of both Threat Highlight Jan 27 and Threat Highlight Feb 8?	Subject to counsel's objection in Annex 1, I have provided true copies of Threat Highlight reports for January 27, 2022 (attached to my affidavit as Exhibit "B") and February 8, 2022 (attached to my affidavit Exhibit "C").
77.	<i>Undertaking 3 of 9</i> Can you undertake to provide true copies of all official results and records regarding ITAC's National Terrorism Threat Level assessments completed, dated or released between January 27, 2022 and February 15, 2022?	Subject to counsel's objection set out in Annex 1, my answer is: I have access to copies of ITAC Threat Highlight documents from this time period which are not to be disclosed publicly and include classified information.
78.	Can you agree the excerpts of documents attached hereto and marked as Exhibit "2" are excerpts from Threat Highlight Jan 27 and Threat Highlight Feb 8?	Subject to the objection from counsel set out in Annex 1, these excerpts appear accurate to the best of my knowledge, however, I would encourage you to refer to the true copies of these documents, attached to my affidavit as Exhibits "B" and "C".
79.	<i>Mark a Full Exhibit 2 of 3</i> The Respondents agree that the excerpts from Threat Highlight Jan 27 and Threat Highlight Feb 8 that are attached hereto and marked as Exhibit "2" can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	No. See Counsel's objection in Annex 1.
80.	ITAC shares information and intelligence with the Security and Intelligence Secretariat at the Privy Council Office?	Yes.
81.	ITAC did not request or recommend that the Government of Canada invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I have no knowledge of whether ITAC did or did not recommend the invocation of the <i>Emergencies Act</i>.
82.	You have no knowledge of ITAC requesting or recommending to the Government of Canada that they invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I have no knowledge of whether ITAC did or did not recommend the invocation of the <i>Emergencies Act</i>.
Communications Security Establishment		

No.	QUESTION	RESPONSE
83.	As the Senior Policy Advisor with the Security and Intelligence Secretariat of the Privy Council, you are familiar with the Government of Canada's Communications Security Establishment ("CSE")?	Yes, I am generally familiar with the Communications Security Establishment (CSE).
84.	The CSE was founded in 1946?	I cannot say definitely that the CSE was founded in 1946.
85.	The CSE is the Government of Canada's national cryptologic agency, providing the Government of Canada with information technology security and foreign signals intelligence?	Yes, I am generally familiar with the Communications Security Establishment (CSE).
86.	The CSE has a team of professionals that work quietly detecting, assessing, and responding to national security challenges?	In my experience the Communications Security Establishment works diligently and professionally to deliver on its mandate by gathering foreign signals intelligence to defend Canada's national security, keeping the Government of Canada's information secure, and working to protect Canadians from cyber threats.
87.	The Chief of CSE effective June 27, 2018 to present is Shelly Bruce?	I am aware that Shelly Bruce is currently the Chief of CSE.
88.	In 2007 to 2009 Shelly Bruce was seconded to the Security and Intelligence Secretariat at the Privy Council Office as Director, Operations?	I was not aware of that.
89.	The CSE shares information and intelligence with the Security and Intelligence Secretariat at the Privy Council Office?	Yes, the CSE shares information with the Security and Intelligence Secretariat at the Privy Council Office.
90.	Shelly Bruce did not request or recommend to the Government of Canada to invoke the Emergencies Act on or before February 14, 2022?	I have no knowledge of whether Shelly Bruce did or did not request or recommend the invocation of the <i>Emergencies Act</i> .
91.	You have no knowledge of Shelly Bruce requesting or recommending to the Government of Canada that they invoke the Emergencies Act on or before February 14, 2022?	I have no knowledge of whether Shelly Bruce did or did not request or recommend the invocation of the <i>Emergencies Act</i> .
92.	The CSE did not request or recommend the Government of Canada invoke the	I have no knowledge of whether CSE did or did not request or recommend the

No.	QUESTION	RESPONSE
	Emergencies Act on or before February 14, 2022?	Government of Canada to invoke the <i>Emergencies Act</i> on or before February 14, 2022.
93.	You have no knowledge of CSE requesting or recommending to the Government of Canada that they invoke the Emergencies Act on or before February 14, 2022?	I have no knowledge of whether CSE did or did not request or recommend the Government of Canada to invoke the <i>Emergencies Act</i> on or before February 14, 2022.
Royal Canadian Mounted Police		
94.	You are familiar with the Royal Canadian Mounted Police ("RCMP")?	Yes.
95.	Since April 17, 2018 to present the head of the RCMP has been Commissioner Brenda Lucki?	I am aware that Brenda Lucki is currently the RCMP commissioner.
96.	Commissioner Brenda Lucki did not request or recommend to the Government of Canada that it invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I am aware that Commissioner Lucki stated publicly she did not request the Government of Canada invoke the <i>Emergencies Act</i> .
97.	You have no knowledge of Commissioner Brenda Lucki requesting or recommending to the Government of Canada that they invoke the Emergencies Act on or before February 14, 2022?	I am aware that Commissioner Lucki stated publicly she did not request the Government of Canada invoke the <i>Emergencies Act</i> . I am not aware of whether or not Commissioner Lucki recommended that the Government of Canada invoke the <i>Emergencies Act</i> .
98.	The RCMP did not request or recommend the Government of Canada invoke the Emergencies Act on or before February 14, 2022?	I am not aware of whether or not the RCMP recommended that the Government of Canada invoke the <i>Emergencies Act</i> . However, I have noted that Commissioner Lucki has stated publicly she did not make such a request.
99.	You have no knowledge of the RCMP requesting or recommending to the Government of Canada that they invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I am not aware of whether or not the RCMP recommended that the Government of Canada invoke the <i>Emergencies Act</i> .

No.	QUESTION	RESPONSE
		However, I have noted that Commissioner Lucki has stated publicly she did not make such a request.
Canadian Security Intelligence Service		
100.	You're familiar with the Canadian Security Intelligence Service ("CSIS")?	Yes.
101.	CSIS administers the <i>Canadian Intelligence Security Intelligence Service Act</i> , RSC 1985, c. C-23?	The CSIS Act provides the legislative foundation for CSIS. Based on my understanding, it outlines things such as CSIS' mandate, authorities, role and responsibilities, and accountability processes.
102.	Since June 19, 2017 David Vigneault has been the Director of CSIS?	I am aware that David Vigneault is currently the Director of CSIS but am not familiar with when he began in that role.
103.	Directly prior to David Vigneault's appoint as Director of CSIS, he was assistant secretary to Cabinet advising on security and intelligence?	I am aware that Mr. Vigneault worked as the Assistant Secretary to Cabinet for Security and Intelligence at PCO, however, I'm not familiar with any additional details.
104.	David Vigneault did not request or recommend to the Government of Canada invoking the Emergencies Act on or before February 14, 2022?	I am not aware of whether or not Mr. Vigneault requested or recommended that the Government of Canada invoke the <i>Emergencies Act</i> .
105.	You have no knowledge of David Vigneault requesting or recommending to the Government of Canada that they invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I am not aware of whether or not Mr. Vigneault requested or recommended that the Government of Canada invoke the <i>Emergencies Act</i> .
106.	CSIS did not request or recommend the Government of Canada invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I am not aware of whether or not CSIS requested or recommended that the Government of Canada invoke the <i>Emergencies Act</i> .
107.	You have no knowledge of CSIS requesting or recommending to the Government of Canada invoke the <i>Emergencies Act</i> on or before February 14, 2022?	I am not aware of whether or not CSIS requested or recommended that the Government of Canada invoke the <i>Emergencies Act</i> .

No.	QUESTION	RESPONSE
108.	You know that CSIS issues a public annual report each year?	Yes.
Ideologically Motivated Violent Extremism		
109.	Exhibit “A” of your affidavit refers to “Ideologically motivated violent extremism” (“IMVE”) at pages 11 and 12?	Yes it does.
110.	Can you agree that the first public annual report for CSIS that uses the phrase or term “Ideologically motivated violent extremism” and “IMVE” is the CSIS Public Report 2019?	Yes, I am aware that the 2019 annual report includes IMVE terminology. While I know such terminology is a relatively recent change to the Government lexicon on violent extremism I am not certain that 2019 is the first time it was used.
111.	You can agree that by clicking on this link: https://publications.gc.ca/collections/collection_2020/scrs-csis/PS71-2019-eng.pdf a full true copy of the CSIS Public Report 2019 is available for your viewing?	Please see the objection from counsel in Annex 1.
112.	IMVE is explained at p.13 of the CSIS Public Report 2019?	Yes.
113.	At p.13 of the CSIS Public Report 2019 it gives a definition of IMVE, an example of IMVE, and four categories of IMVE?	Yes it does.
114.	You can agree p.13 of the CSIS Public Report 2019 states the following: Ideologically motivated violent extremism (IMVE) is often driven by a range of grievances and ideas from across the traditional ideological spectrum. The resulting worldview consists of a personalized narrative which centres on an extremist’s willingness to incite, enable and or mobilize to violence. Extremists draw inspiration from a variety of sources including books, images, lectures, music, online discussions, videos and conversations. Given the diverse combination of motivations and personalized worldviews of recent mass-	Yes.

No.	QUESTION	RESPONSE
	casualty attackers, the use of such terms as “right-wing” and “left-wing” is not only subjective, but inaccurate in describing the complexity of motivations of IMVE attacks in Canada and abroad. EXAMPLE OF IMVE On January 13, 2020, an individual pleaded guilty to two counts of attempted murder and one count of breach of probation. The individual stabbed a woman multiple times and injured her baby on June 3, 2019. He self-identified as an Incel (involuntarily celibate) and took some inspiration from the 2018 Toronto van attack in which 10 people were killed and 16 wounded. Xenophobic Violence Xenophobic violence is defined as the fear or hatred of what is perceived to be foreign, different or strange, which leads to racially motivated violence. This has traditionally been referred to in the Canadian context as white supremacy or neo-Nazism. Anti-authority Violence Anti-authority violence is defined as the opposition to, or rejection of, the authority of the State which leads to anti-Government and violence against law enforcement. The 2014 Moncton shooting is an example of antiauthority violence. Gender-driven Violence Gender-driven violence is defined as the hatred of those of a different gender and or sexual orientation which can lead to violent misogyny. The 2018 Toronto van attack is an example of gender-driven violence. Other Grievance-driven and Ideologically Motivated Violence Some ideologically motivated violent extremists act without a clear affiliation to an organized group or external guidance. They are nevertheless shaped by the echo chambers of	

No.	QUESTION	RESPONSE
	online hate that normalize and advocate violence. More than ever, the internet allows individuals to not only share their extreme views, but also their manifestos and details of attacks. All these activities can inspire others to conduct attacks of their own.	
115.	You agree that the definition of IMVE, the example of IMVE, and the four categories of IMVE as stated immediately above and at p.13 of the CSIS Public Report 2019 are true and accurate?	This definition and examples provided are consistent with my understanding of IMVE based on my experience working with Government security partners during my time at the PCO Security and Intelligence Secretariat.
116.	You are aware that there are certain and specific “IMVE Groups” that are designated “terrorist entities” under the Criminal Code of Canada?	Yes. I am aware that the Government of Canada has listed a number of terrorist entities (i.e. a group or person) under the Criminal Code that includes IMVE groups.
117.	There are a total of eight (8) IMVE Groups designated “terrorist entities” under the Criminal Code of Canada, and they include and are limited to the following: a. Combat 18, b. Blood and Honour, c. Proud Boys, d. Atomwaffen Division, e. The Base, f. The Russian Imperial Movement, g. Three Percenters; and h. Aryan Strikeforce?	Please see the objection from counsel in Annex 1.
118.	You can agree that to be designated a terrorist entity under the Criminal Code of Canada requires some form of evidence that demonstrates an entity has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity, or has knowingly acted on behalf of, at the direction of, or in association with such an entity?	Please see the objection from counsel in Annex 1.
119.	You agree that the recommendation to list an entity in the <i>Criminal Code</i> terrorist listings regime is based on a security or criminal intelligence report prepared by either CSIS or	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
	Public Safety Canada, or a criminal intelligence report prepared by the RCMP?	
120.	You agree the last addition of an entity to the terrorist entity listings regime under the Criminal Code of Canada was in 2021?	Subject to counsel's objection in Annex 1, my answer is: To the best of my knowledge terrorist entities were last added under the Criminal Code in 2021.
121.	You agree there is no specific mention in your affidavit or any of its exhibits of Combat 18, Blood and Honour, Proud Boys, Atomwaffen Division, The Base, The Russian Imperial Movement, Three Percenters, or Aryan Strikeforce?	Please see the objection from counsel in Annex 1.
122.	You agree that in your affidavit at Exhibit "A" on page 5 it discusses a group called "Canada Unity"?	Yes.
123.	You agree the purported founder of Canada Unity is James Bauder?	I do not have an in-depth knowledge of the Canada Unity group, its origins, or Mr. Bauder. I cannot recall with certainty that Mr. Bauder was the supposed founder of the group.
124.	You agree that to the best of your knowledge that you have no information of James Bauder committing a physical act of violence against another individual on and between January 27, 2022 and February 14, 2022?	I do not recall any such event.
125.	You agree that to the best of your knowledge that you have no information of James Bauder advocating for other individuals to commit a physical act of violence against another individual on and between January 27, 2022 and February 14, 2022, other than advocating that Prime Minister Justin Trudeau be arrested?	I have no knowledge of any such event during that time period.
126.	You agree there is no specific mention in your affidavit or any of its exhibits of any individual being physically injured on or between January 27, 2022 and February 14, 2022 in Ottawa?	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
127.	You agree there is no specific mention in your affidavit or any of its exhibits of any individual being physically injured between January 27, 2022 and February 14, 2022 at protests and purported "blockades" outside of Ottawa?	Please see the objection from counsel in Annex 1.
Parliamentary Security		
128.	On October 22, 2014 a lone attacker, Michael Zehaf-Bibeau, carried out an attack on Parliament Hill with a firearm?	Subject to counsel's objection in Annex 1, my answer is: I recall Zehaf-Bibeau carrying out an attack at the National War Memorial and Parliament Hill in October 2014.
129.	In the October 22, 2014 attack, Michael Zehaf-Bibeau shot and killed Corporal Nathan Corillo of the Canadian Armed Forces?	Subject to counsel's objection in Annex 1, my answer is: I recall Zehaf-Bibeau carrying out an attack at the National War Memorial and Parliament Hill in October 2014.
130.	Shortly after shooting Corporal Nathan Corillo, Michael Zehaf-Bibeau entered the Centre Block parliament building where Members of Parliament were, and engaged in a shootout with parliamentary security personnel?	Subject to counsel's objection in Annex 1, my answer is: I recall Zehaf-Bibeau carrying out an attack at the National War Memorial and Parliament Hill on October 2014 where he was subsequently shot by parliamentary security.
131.	Following the October 22, 2014 attack on Parliament, security at Parliament was enhanced?	Subject to counsel's objection in Annex 1, my answer is: I have no knowledge of Parliamentary security enhancements following this attack. I was not working at PCO S&I at the time.
132.	The enhancements in security at Parliament were focused on potential lone actor attackers, like Michael Zehaf-Bibeau?	Subject to counsel's objection in Annex 1, my answer is: I have no knowledge of Parliamentary security enhancements following this attack. I was not working at PCO S&I at the time.
133.	Michael Zehaf-Bibeau's attack on Parliament on October 22, 2014 had no link to any form of	Subject to counsel's objection in Annex 1, my answer is:

No.	QUESTION	RESPONSE
	protest taking place outside or in the vicinity of Parliament?	I have no additional knowledge as I was not working at PCO S&I at the time.
134.	Can you agree many of the enhancements in security at Parliament arising from the October 22, 2014 attack were outlined in the June 3, 2015 document of the Hours of Commons titled "October 22, 2014 House of Commons Incident Response Summary" attached hereto and marked as Exhibit "3"? <i>Mark a Full Exhibit 3 of 3</i>	Subject to counsel's objection in Annex 1, my answer is: I am unable to say whether or not this was the case as I was not working at PCO S&I the time and have no knowledge on the issue.
135.	The Respondents agree that the October 22, 2014 House of Commons Incident Response Summary attached hereto and marked as Exhibit "3" can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	Please see the objection from counsel in Annex 1.
136.	It is true that potential lone actor attackers do not require a protest to carry out an attack?	Based on my knowledge of violent extremism, a lone actor may mobilize to violence and carry out an attack based on their particular grievances and motivations with no forewarning. As we've seen in Canada and abroad, a protest is not a necessary prerequisite for an attack. However, I understand that protests can provide charged emotional environments that could be exploited by IMVE adherents or possibly serve as triggering events for those with intent for violence. I am aware that government officials have stated similar concerns publicly. For example, I am aware the Director of CSIS has stated publicly that they were concerned about lone actors who could engage in violence spontaneously in the context of the convoy.
Protests in Ottawa		
137.	During the protests in Ottawa between January 27, 2022 and February 6, 2022 there was an	Yes, I recall there being a visible increase in police presence in downtown Ottawa in and around Parliament.

No.	QUESTION	RESPONSE
	increase in security personal and police presence in and around Parliament?	
138.	During the protests in Ottawa between January 27, 2022 and February 16, 2022 the protestors were most saturated on Wellington Street in front of Parliament?	Generally speaking, I recall that there was a significant concentration of protestors and vehicles on City of Ottawa streets surrounding Parliament, Wellington Street, and many streets in proximity to the area. Other locations in the city were also occupied by protestors and vehicles for sustained periods of time including a location on Coventry Road.
139.	Close to the beginning of the protests between January 27, 2022 and February 16, 2022, the police and/or other government personal placed concrete barriers that block access of motor vehicles to Wellington Street in front of Parliament?	I recall seeing concrete barriers installed at certain locations on streets leading to Wellington street. However, I cannot say with certainty when or precisely where this took place.
140.	Concrete barriers are still placed on Wellington Street to the date of you being provided the herein Written Examination, and Wellington Street is closed to vehicles for two and a half blocks in front of Parliament?	Yes, I have observed that concrete barriers remain in place.
Incident Response Group		
141.	In your affidavit sworn April 4, 2022 and filed in these proceedings you discuss the “Incident Response Group”?	Yes, the Incident Response Group is referenced in my affidavit.
142.	What are the names and titles of all the members of the Incident Response Group referred to in your affidavit.	Subject to counsel’s objection in Annex 1, my answer is: My understanding is there is no fixed membership for the Incident Response Group (IRG). As outlined on the Prime Minister’s website, the IRG is a working group of ministers and membership may consist of relevant ministers, senior government leadership, and vary based on the nature of an incident.

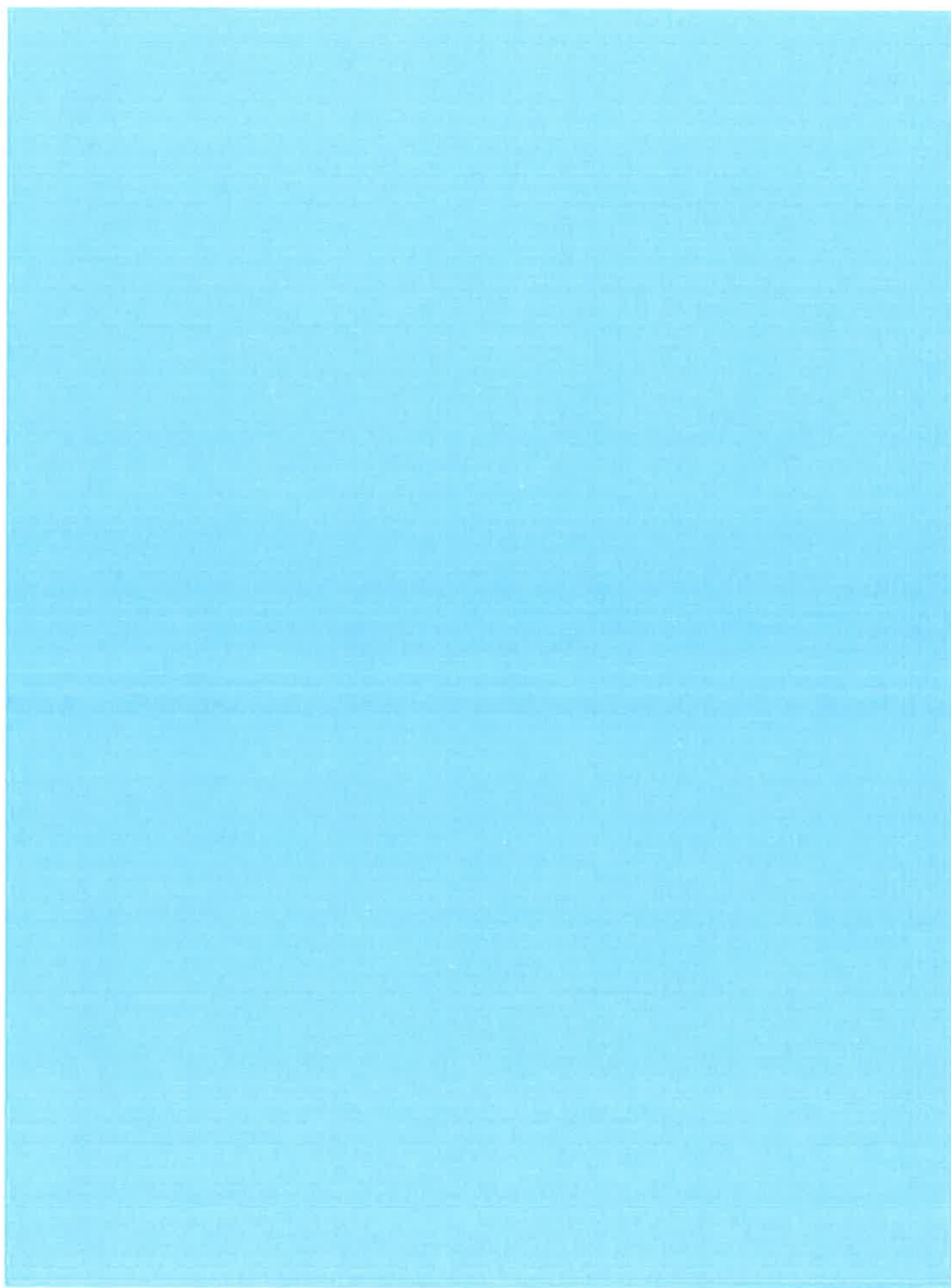
No.	QUESTION	RESPONSE
143.	At paragraph 5 of your affidavit you state the Incident Respondent Group had three meetings, one on each of February 10, 12 and 13, 2022?	Yes.
144.	Were you a member, participant or attendee at any of the Incident Respondent Group meetings on February 10, 12 and 13, 2022?	No I was not.
145.	<i>Undertaking 4 of 9</i> Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	Subject to counsel's objection in Annex 1, my answer is: The description of the mandate found on the Prime Ministers website is an accurate representation of the IRG's mandate. With respect to the IRG, it states it "serves as a dedicated emergency committee in the event of a national crisis or during incidents elsewhere that have major implications for Canada. It is responsible for coordinating a prompt federal response to an incident, and making fast, effective decision to keep Canadians safe and secure, at home and abroad. This content on the PM's website is the only official document outlining the Group's mandate that I am aware of.
146.	<i>Undertaking 5 of 9</i> Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	Please see the objection from counsel in Annex 1.
Protests at Ambassador Bridge, Windsor, Ontario		
147.	On Friday February 11, 2022 an injunction was granted by the Superior Court of Ontario to end the protest and remove protestors and vehicles from the Ambassador Bridge border crossing in Windsor, Ontario?	Yes, I am aware that an Ontario Superior Court granted an injunction on February 11, 2022. To the best of my knowledge this included provisions related to the removal of people or vehicles that impeded or blocked access to the Ambassador Bridge and approaching roadways.

No.	QUESTION	RESPONSE
148.	By Sunday February 13, 2022 the police had ended the protest and removed protestors and vehicles from the Ambassador Bridge border crossing in Windsor, Ontario?	I believe that Windsor police undertook enforcement actions throughout the day of Sunday 13, 2022. This included the removal of vehicles and the arrest of some protesters. To the best of my knowledge the Ambassador Bridge port of entry was re-opened that evening. At the same time, I recall the situation remaining quite dynamic. As such, I recall Police were also taking steps to protect the Ambassador bridge against potential future disruptions.
Protests at Coutts, Alberta		
149.	On February 13, 2022 the RCMP obtained warrant(s) under the Criminal Code of Canada to search vehicles and trailers of several persons at the Coutts, Alberta border?	I am not aware of the specific date that the RCMP obtained warrants they used to search vehicles and trailers on February 14, 2022.
150.	In the early morning on February 14, 2022 the RCMP executed the warrant and arrested 13 individuals on charges ranging from weapons offences to mischief, with three charged with conspiracy to commit murder?	I recall media reporting and statements from the RCMP that 13 individuals in total were arrested near the Coutts Port of Entry on February 14, 2022. This included the seizure of weapons and ammunition when executing the search warrants. To my knowledge, these individuals were charged with a number of offences including multiple conspiracy to commit murder charges which were the most memorable.
151.	The RCMP advised the public that the 13 individuals arrested were from a small group holding a militant mindset?	I recall media reporting and statements by the RCMP which suggested those arrested harbored militant and anti-government sentiments. I also recall media reports of extremist imagery being found on some of items seized from the accused.
152.	The RCMP advised the public they knew about the activities and conduct of the 13 individuals arrested from the small group at the outset of	I am not aware that the RCMP advised the public that they knew about these 13 individuals in advance of the protest.

No.	QUESTION	RESPONSE
	the protest commencing at the Coutts, Alberta border crossing?	
153.	The RCMP did not use any powers to carry out the above investigation, warrant and arrest of the 13 individuals beyond those in the Criminal Code and the common law?	I have no knowledge of what powers the RCMP employed in carrying out their investigation on these individuals.
154.	The protestors at Coutts, Alberta were advised by the RCMP of the arrest of the above 13 individuals?	I do not recall that the RCMP advised protestors at Coutts, Alberta of the arrests by the RCMP. However, I do recall media interviews of protestors at the time indicating an awareness of the arrests after they occurred.
155.	On February 15, 2022 the protestors at the Coutts, Alberta border left peacefully?	I do not recall the precise circumstances regarding the restoration of access to the Coutts Port of Entry and protestors leaving the area. I do not remember there being any additional arrests.
Protests Outside Ottawa Generally		
156.	Can you agree that to your knowledge, all protests and purported border “blockades” that were outside Ottawa were cleared without using the powers under the Emergencies Act ?	I do not know for a fact that all protests outside of Ottawa were cleared by police of jurisdiction without using powers under the <i>Emergencies Act</i>. I do recall senior law enforcement officials such as RCMP Commissioner Lucki stating publicly that the powers provided useful tools to help law enforcement better address the unlawful assemblies. To the best of my knowledge, they referred in particular to the usefulness of powers that served to deter and prevent individuals from joining and supporting the unlawful assemblies.
157.	Can you agree that Commissioner Brenda Lucki of the RCMP has confirmed that the RCMP were successful in using a measured approach, utilizing existing legislation not	I am aware that Commissioner Lucki has stated the RCMP used a measured

No.	QUESTION	RESPONSE
	including the <i>Emergencies Act</i> , to resolve protests and purported “blockades”?	approach in resolving border blockades in areas of their jurisdiction. However, I also recall that the Commissioner and Interim Ottawa Police Chief each spoke to the usefulness of the new powers in helping law enforcement better address the unlawful assemblies. In particular, I recall them speaking to the usefulness of powers that served to deter and prevent individuals from joining and supporting the unlawful assemblies.
Records before the Governor in Council		
158.	You are aware the Clerk of the Privy Council has issued a certificate under s.39 of the Canada Evidence Act regarding the record before the Governor in Council?	Yes I am aware the Clerk issued a certificate, however, I have not seen it.
159.	You can agree the certificate under s.39 of the Canada Evidence Act regarding the record before the Governor in Council lists the records it is issued in relation to?	I have not seen it so I am not aware.
160.	Undertaking 6 of 9 Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council directing that a proclamation be issued pursuant to subsection 17(1) of the Emergencies Act?	Please see the objection from counsel in Annex 1.
161.	Undertaking 7 of 9 Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning emergency measures regulations?	Please see the objection from counsel in Annex 1.

No.	QUESTION	RESPONSE
162.	<i>Undertaking of 8 of 9</i> Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning an emergency economic measures order?	Please see the objection from counsel in Annex 1.
163.	You have no knowledge of any other records being before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under s.39 of the <i>Canada Evidence Act</i>?	No I have no knowledge of any other records.
164.	<i>Undertaking 9 of 9</i> If there are records that were before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under s.39 of the <i>Canada Evidence Act</i>, can you undertaking to produce them?	Subject to the objection set out in Annex 1, my answer is: No, I have no knowledge of any other records.



ANNEX 1

**OBJECTIONS TO WRITTEN EXAMINATION QUESTIONS
OF STEVEN SHRAGGE**

No.	QUESTION	OBJECTION
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor General in Council was taking place on February 14, 2022 regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	The AGC objects to the question as well as the ones following (questions 2-6) in so far as it (they) incorrectly characterizes the decision-making process of the GIC in this matter as a “Hearing”. The GIC decision-making process is a private and confidential one. The GIC does not hold hearings.
8.	You are not the author of the document at Exhibit “A” of your affidavit.	Exhibit “A” is an explanation of the reasons for issuing the declaration. Pursuant to s. 58(1) of the <i>Emergencies Act</i> , it was prepared by the Government of Canada and tabled in Parliament by the Minister who made the submission to the GIC. Its authorship is irrelevant.
9.	The Governor-in-Council is not the author of the document at Exhibit “A” of your affidavit.	Exhibit “A” is an explanation of the reasons for issuing the declaration. Pursuant to s. 58(1) of the <i>Emergencies Act</i> , it was prepared by the Government of Canada and tabled in Parliament by the Minister who made the submission to the GIC. Its authorship is irrelevant.
10.	There is no author listed for the document at Exhibit “A” of your affidavit?	Exhibit “A” is an explanation of the reasons for issuing the declaration. Pursuant to s. 58(1) of the <i>Emergencies Act</i> , it was prepared by the Government of Canada and tabled in Parliament by the

No.	QUESTION	OBJECTION
		Minister who made the submission to the GIC. Its authorship is irrelevant.
11.	The Governor-in-Council is not the author of the document at Exhibit "B" of your affidavit.	Exhibit "B" is a copy of the Report to the Houses of Parliament: <i>Emergencies Act</i> Consultations that describes consultations with the Provinces. Pursuant to s. 58(1) of the <i>Emergencies Act</i> , it was prepared by the Government of Canada and tabled in Parliament by the Minister who made the submission to the GIC. Its authorship is irrelevant
12.	Except for the letter authored by the Prime Minister annexed thereto, there is no author listed for the document at Exhibit "B" of your affidavit?	Exhibit "B" is a copy of the Report to the Houses of Parliament: <i>Emergencies Act</i> Consultations that describes consultations with the Provinces. Pursuant to s. 58(1) of the <i>Emergencies Act</i> , it was prepared by the Government of Canada and tabled in Parliament by the Minister who made the submission to the GIC. Its authorship is irrelevant
13.	To your knowledge, did any of the Premiers of the Provinces in the consultation referred to in the letter of the Prime Minister annexed to Exhibit "B" support the invocation of the <i>Emergencies Act</i> , and if so, which ones?	This is not relevant nor does the <i>Jost</i> Notice of Application challenge the adequacy of the consultation. Additionally, see the answer provided by Mr. Shragge under this objection.
Integrated Terrorism Assessment Centre		
46.	<i>Mark a Full Exhibit 1</i> The Respondents agree that the Government of Canada's "Federal Terrorism Response Plan: Domestic Concept of Operation" that is attached hereto and marked as Exhibit	No undertakings are required and none will be given. The affiant is limited to providing

No.	QUESTION	OBJECTION
	“1” can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	relevant documents within his power, possession and control. As Mr. Shragge noted, he does not work with the FTRP on a regular basis and the version provided for the purpose of this requested exhibit is not one that appears to be current.
51.	The Threat Highlight Jan 27 indicated that protestors in a convoy of Canadian truck drivers and supports were expected to arrive in Ottawa, Ontario around January 28th and 29th of 2022?	This is not a proper question. The document, which has been provided, speaks for itself.
52.	The Threat Highlight Jan 27 indicated that Parliament returns from Christmas adjournment on January 31, 2022 and this return could motivate a dedicated group of protestors to prolong their protest in Ottawa and seek interaction with Canadian politicians?	This is not a proper question. The document, which has been provided, speaks for itself.
54.	On February 8, 2022 ITAC released a document titled “Threat Highlight” and numbered as TH 22/11-E // 2022-02-08) hereafter “Threat Highlight Feb 8”)?	This is not a proper question. The document, which has been provided, speaks for itself.
53.	The Threat Highlight Jan 27 indicated that a coordinated, complex terrorist attack or planned storming of Parliament or other federal locations was unlikely?	This is not a proper question. The document, which has been provided, speaks for itself.
56.	The Threat Highlight Feb 8 indicated that ITAC’s National Terrorism Threat Level assessment was Medium?	This is not a proper question. The document, which has been provided, speaks for itself.
57.	The Threat Highlight Feb 8 indicated that ITAC assessed the likelihood of a coordinated, complex terrorist attack or a planned storming of Parliament, legislatures, or government offices as unlikely?	This is not a proper question. The document, which has been provided, speaks for itself.
58.	The Threat Highlight Feb 8 indicated that ITAC’s opinion was that protestors in Ottawa seeking to undertake legitimate protest were distinct from actors espousing violence?	This is not a proper question. The document, which has been provided, speaks for itself.
59.	The Threat Highlight Feb 8 indicated that the threat of real violence would come from the possibility of “potential lone actor attackers”, not the legitimate protestors?	This is not a proper question. The document, which has been provided, speaks for itself.
75.	<i>Undertaking 1 of 9</i>	No undertakings are required and none will be given. The

No.	QUESTION	OBJECTION
	Can you undertake to provide true copies of all “Threat Highlight” documents released or dated by ITAC between January 26, 2022 and February 15, 2022?	affiant is limited to providing relevant docs within his power, possession and control. Mr. Shragge has access to other ITAC reports that would speak to “Threat Highlights” as referenced in this question during this period of time but the AGC objects to their production because they contain classified or other protected material that will garner the protections of ss. 37 or 38 of the <i>Canada Evidence Act</i>.
76.	<i>Undertaking 2 of 9</i> Further, and in particular, can you undertake to provide true copies of both Threat Highlight Jan 27 and Threat Highlight Feb 8?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. That said, the two Threat Highlights mentioned have been provided as Exhibits “B” and “C”, as they are under the power, possession and control of Mr. Shragge and they are not otherwise subject to a privilege or immunity.
77.	<i>Undertaking 3 of 9</i> Can you undertake to provide true copies of all official results and records regarding ITAC’s National Terrorism Threat Level assessments completed, dated or released between January 27, 2022 and February 15, 2022?	No undertakings are required and none will be given. The affiant is limited to providing relevant docs within his power, possession and control. Mr. Shragge does not have power, possession or control over all of the sorts of records that may be generated by ITAC nor would necessarily have knowledge of all of these.

No.	QUESTION	OBJECTION
		Mr. Shragge does have has access to some other ITAC reports during this period of time but the AGC objects to their production because they contain classified or other protected material that will garner the protections of ss. 37 or 38 of the <i>Canada Evidence Act</i>.
78.	Can you agree the excerpts of documents attached hereto and marked as Exhibit "2" are excerpts from Threat Highlight Jan 27 and Threat Highlight Feb 8?	The full reports in question have been produced. They speak for themselves.
79.	Mark a Full Exhibit 2 of 3 The Respondents agree that the excerpts from Threat Highlight Jan 27 and Threat Highlight Feb 8 that are attached hereto and marked as Exhibit "2" can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. The source of the excerpts are unknown and the full version of each unclassified report has been provided. Therefore, there is no reason or value in exhibiting a particular copy of an excerpt.
111.	You can agree that by clicking on this link: https://publications.gc.ca/collections/collection_2020/scrs-csis/PS71-2019-eng.pdf a full true copy of the CSIS Public Report 2019 is available for your viewing?	This is not a question and does not require the affiant to agree or disagree. The affiant has reviewed the proposed document and answered the questions that followed.
Ideologically motivated violent extremism		
117.	There are a total of eight (8) IMVE Groups designated "terrorist entities" under the Criminal Code of Canada, and they include and are limited to the following: a. Combat 18, b. Blood and Honour, c. Proud Boys, d. Atomwaffen Division,	The regulations speak for themselves.

No.	QUESTION	OBJECTION
	e. The Base, f. The Russian Imperial Movement, g. Three Percenters: and h. Aryan Strikeforce?	
118.	You can agree that to be designated a terrorist entity under the Criminal Code of Canada requires some form of evidence that demonstrates an entity has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity, or has knowingly acted on behalf of, at the direction of, or in association with such an entity?	Not relevant. Seeks legal opinion.
119.	You agree that the recommendation to list an entity in the <i>Criminal Code</i> terrorist listings regime is based on a security or criminal intelligence report prepared by either CSIS or Public Safety Canada, or a criminal intelligence report prepared by the RCMP?	Not relevant. Seeks legal opinion.
120.	You agree the last addition of an entity to the terrorist entity listings regime under the Criminal Code of Canada was in 2021?	Not relevant. The legislation speaks for itself.
121.	You agree there is no specific mention in your affidavit or any of its exhibits of Combat 18, Blood and Honour, Proud Boys, Atomwaffen Division, The Base, The Russian Imperial Movement, Three Percenters, or Aryan Strikeforce?	The affidavit speaks for itself.
126.	You agree there is no specific mention in your affidavit or any of its exhibits of any individual being physically injured on or between January 27, 2022 and February 14, 2022 in Ottawa?	The affidavit and exhibits speak for themselves.
127.	You agree there is no specific mention in your affidavit or any of its exhibits of any individual being physically injured between January 27, 2022 and February 14, 2022 at protests and purported “blockades” outside of Ottawa?	The affidavit and exhibits speak for themselves.
Parliamentary Security		
128.	On October 22, 2014 a lone attacker, Michael Zehaf-Bibeau, carried out an attack on Parliament Hill with a firearm?	Not relevant.

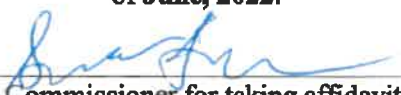
No.	QUESTION	OBJECTION
129.	In the October 22, 2014 attack, Michael Zehaf-Bibeau shot and killed Corporal Nathan Corillo of the Canadian Armed Forces?	Not relevant.
130.	Shortly after shooting Corporal Nathan Corillo, Michael Zehaf-Bibeau entered the Centre Block parliament building where Members of Parliament were, and engaged in a shootout with parliamentary security personal.	Not relevant.
131.	Following the October 22, 2014 attack on Parliament, security at Parliament was enhanced?	Not relevant.
132.	The enhancements in security at Parliament were focused on potential lone actor attackers, like Michael Zehaf-Bibeau?	Not relevant.
133.	Michael Zehaf-Bibeau's attack on Parliament on October 22, 2014 had no link to any form of protest taking place outside or in the vicinity of Parliament?	Not relevant.
134.	Can you agree many of the enhancements in security at Parliament arising from the October 22, 2014 attack were outlined in the June 3, 2015 document of the Hours of Commons titled "October 22, 2014 House of Commons Incident Response Summary" attached hereto and marked as Exhibit "3"? <i>Mark a Full Exhibit 3 of 3</i>	Not relevant.
135.	The Respondents agree that the October 22, 2014 House of Commons Incident Response Summary attached hereto and marked as Exhibit "3" can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	Not relevant.
Incident Response Group		
142.	What are the names and titles of all the members of the Incident Response Group referred to in your affidavit?	There is no fixed membership for the Incident Response Group. An attendance list for each of the February 10, 12, and 13, 2022 IRG meetings is maintained by the Cabinet Papers System Unit and they come within the meaning of confidences of the Queen's Privy Council for Canada or

No.	QUESTION	OBJECTION
		Cabinet confidences as defined in s. 39(2) of the <i>Canada Evidence Act</i> . The AGC objects to their production on that basis.
145.	<i>Undertaking 4 of 9</i> Can you undertake to produce a true copy of the mandate of the Incident Response Group referred to in your affidavit?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. But see answer from Mr. Shragge in response to the content of the question.
146.	<i>Undertaking 5 of 9</i> Can you undertake to produce true copies of all minutes, notes, and records before and created by the members and attendees of the Incident Response Group meetings on February 10, 12 and 13, 2022 referred to in your affidavit?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. Cabinet confidentiality. Any minutes, notes and records for the IRG meetings come within the meaning of confidences of the Queen's Privy Council for Canada or Cabinet confidences as defined in s. 39(2) of the <i>Canada Evidence Act</i>.
Records before the Governor in Council		
160.	<i>Undertaking 6 of 9</i> Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council directing that a proclamation be issued pursuant to subsection 17(1) of the Emergencies Act?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. Any such material is beyond the power, possession and control of Mr. Shragge This material is otherwise covered by the Certificate

No.	QUESTION	OBJECTION
		issued by the Clerk pursuant to s. 39 of the CEA. The question constitutes an improper collateral attack on the Clerk's Certificate.
161.	<i>Undertaking 7 of 9</i> Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning emergency measures regulations?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. Any such material is beyond the power, possession and control of Mr. Shragge. This material is otherwise covered by the Certificate issued by the Clerk pursuant to s. 39 of the CEA. The question constitutes an improper collateral attack on the Clerk's Certificate.
162.	<i>Undertaking of 8 of 9</i> Can you undertake to produce the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the <i>Emergencies Act</i> and concerning an emergency economic measures order?	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control. Any such material is beyond the power, possession and control of Mr. Shragge. This material is otherwise covered by the Certificate issued by the Clerk pursuant to s. 39 of the CEA. The question constitutes an improper collateral attack on the Clerk's Certificate.
164.	<i>Undertaking 9 of 9</i> If there are records that were before the Governor in Council in this matter other than those listed in the certificate issued by the Clerk of the Privy Council under	No undertakings are required and none will be given. The affiant is limited to providing relevant documents within his power, possession and control.

No.	QUESTION	OBJECTION
	s.39 of the <i>Canada Evidence Act</i> , can you undertake to produce them?	PC 2022-106, PC 2022-0107, and PC 2022-0108 were before the Governor in Council (GIC) and are not listed in the certificate and have been produced by the Assistant Clerk. In any event, the remaining material that was before the GIC in this matter is beyond the power, possession and control of Mr. Shragge. This information is covered by the Certificate issued by the Clerk. The question constitutes an improper collateral attack on the Clerk's Certificate.

This is **Exhibit "B"** referred to
in the affidavit of
Steven Shragge
Affirmed before me this **15th** day
of **June, 2022**.


A Commissioner for taking affidavits

LSO 634970

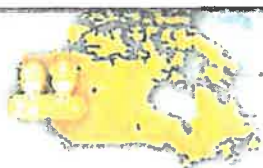


TH 22/08-A // 2022-01-27

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CANADA: Extremists may attempt to seize the opportunity of public protest (U//FOUO)

TERRORISM THREAT LEVELS



CANADA

MEDIUM



Uninformed Personnel

U//FOUO

LEGEND: Established Raised Lowered Remains

A convoy of Canadian truck drivers and their supporters are travelling from various cities to Ottawa to protest a federal vaccine mandate for truck drivers crossing the Canadian-United States (US) border. They are expected to arrive in Ottawa around 28 and 29 January. (U//FOUO)

While the organisers have declared that this is an act of peaceful protest, some ideologically motivated violent extremism (IMVE) followers in Canada have seized upon this rally to advocate for their own ideological objectives. Extremists and other individuals supporting COVID-19 conspiracy theories and violent anti-authority/anti-government views have expressed intent to participate in the convoy and to attend the accompanying protests in Ottawa: (U//FOUO)

- During a news interview with a convoy supporter in Saskatoon on 26 January, the supporter advocated civil-war and also noted he and others have guns. (U//FOUO)
- Online supporters of the convoy are calling for the convoy and associated protest to be used as Canada's 'January 6' opportunity, in reference to the insurrection of Capitol Hill in the United States in 2021. (U//FOUO)
- An online supporter of the convoy and protest espoused online "If anything we should grab Trudeau by the neck and kick the s**t out of him for what he's done. (U//FOUO)

BACKGROUNDER ON PROTEST CONVOY

The Government of Canada recently announced a federal mandate for truckers crossing the border to be vaccinated by 15 January 2022. This led to the so-called Freedom Convoy 2022 protest being organised largely through social media. Various convoys started across Canada on 22 January with the goal of arriving in Ottawa over the weekend of 28 and 29 January. In recent days, organisers of the protest have sought to distance themselves from the more extreme views of a vocal minority. (U//FOUO)

KEY JUDGMENTS

- Those seeking to undertake legitimate protest and dissent are distinct from actors espousing violent extremism. ITAC judges it possible that Canadian IMVE actors will insinuate themselves within the protest actions in Ottawa over the period of 28 and 29 January. It is possible that opportunistic, low-level violence will occur in Ottawa over the weekend, based on the likely presence of IMVE adherents and law enforcement. (U//FOUO)
- A small number of IMVE adherents could leverage an emotional crowd to spur on violence and destruction of government property through mob mentality dynamics, with the most likely target of violence being law enforcement or government officials near prominent federal buildings. (U//FOUO)

ASSESSMENT NOTE: This assessment is based on recent open source reporting. The intelligence cut-off date is 1300 on 27 January 2022. ITAC has MEDIUM confidence in its assessments due to the dynamic situation of the convoys. (U)

DEFINITIONS and HANDLING INSTRUCTIONS are located at the last page.

- It is possible that protestors, including IMVE adherents, could use rudimentary capabilities, such as trucks, cargo and fuel, to cause disruption to infrastructure and destruction of property. Uniformed personnel are the most likely target of opportunistic or low-level violence. (U//FOUO)
- The convergence of people in Ottawa represents an opportunity for other individuals or small groups inspired by Religiously Motivated Violent Extremism (RMVE) to capitalize on a potentially chaotic environment to conduct an unsophisticated attack. However, this is unlikely due to safety mitigation measures in place. (U//FOUO)
- We note that Parliament returns from Christmas adjournment on January 31 and this could motivate a dedicated group of protestors to prolong their protest in Ottawa and/or seek interaction with Canadian politicians. (U//FOUO)
- A coordinated, complex terrorist attack or planned storming of Parliament or other federal locations is unlikely. (U//FOUO)
- Due to the level of involvement of law enforcement and mitigation measures in place, ITAC assesses that the National Terrorism Threat Level (NTTL) and the terrorism threat level for uniformed personnel remain unchanged at MEDIUM; a violent act of terrorism could occur. (U//FOUO)

**A CANADIAN EXTREMIST GROUP
PROMOTING THE TRUCKER CONVOY
PROTESTS TO THEIR SUPPORTERS (U//FOUO)**

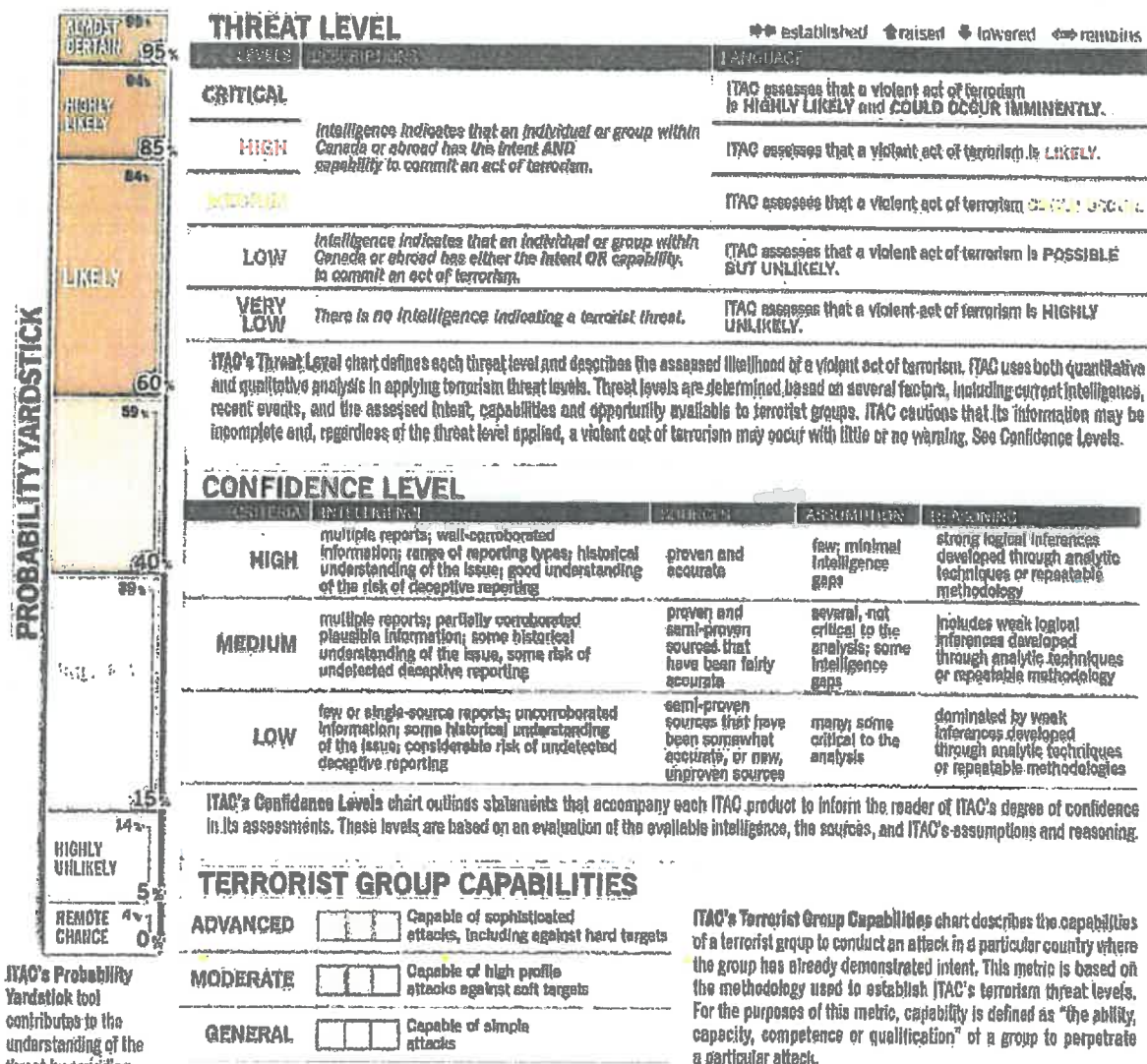


Sources: 4Chan, 27 January 2022

Terrorism Threat Levels

Canada **MEDIUM**  **MEDIUM** Threat levels as of 1 December 2021. (U//FOUO)

-  An act of terrorism **COULD OCCUR**. (U//FOUO)
-  There is intent *and* capability from both domestic and international extremist actors to commit an act of terrorism in Canada. (U//FOUO)
-  An act of terrorism directly affecting *uniformed personnel* in Canada **COULD OCCUR**. (U//FOUO)
- Intelligence indicates that an individual or group within Canada or abroad has the intent *and* capability to commit an act of terrorism in Canada. There remain individuals both in Canada and abroad who advocate violence and aspire to carry out terrorist attacks domestically. ITAC notes that inspired individuals typically act alone or in relatively small groups, and that attack planning can progress quickly, and may go undetected. ITAC assesses that an act of terrorism could occur in Canada. (U//FOUO)
- Propaganda identifying uniformed personnel as potential targets continues to be published online. ITAC notes there are indications of intent to target uniformed personnel in Canada. Notwithstanding, ITAC assesses that, at present, uniformed personnel are more likely to be targeted incidentally while performing their duties. ITAC assesses that a violent act of terrorism affecting *uniformed personnel* in Canada could occur. (U//FOUO)

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Any feedback should be directed via email to ITAC at itac1@smtp.gc.ca

This document constitutes a record which may be subject to mandatory exemption under the Access to Information Act or the Privacy Act. The information or intelligence may also be protected by the provisions of the Canada Evidence Act. The information or intelligence must not be disclosed or used as evidence without prior consultation with ITAC.



This is **Exhibit "C"** referred to
in the affidavit of
Steven Shragge
Affirmed before me this 15th day
of June, 2022.



A Commissioner for taking affidavits

WSO 63497W



TH 22/11-E // 2022-02-08

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CANADA: IMVE threats in the midst of anti-vaccine protests in the NCR and across the country (U//FOUO)



This assessment updates TH22/08 and focuses on the wave of protest in Canada on the weekend of 5 to 6 February in support of the ongoing "Freedom Convoy" to the National Capital Region (NCR). While the protests were initiated by truckers contesting vaccination mandates to cross the US border, events in Toronto, Winnipeg, Vancouver, Quebec City and Ottawa have been gathering various groups opposing public health measures. All events remained relatively peaceful, with limited low-level conflict. However, violent online rhetoric and the physical presence of ideological extremists at some gatherings remain a factor of concern. (U//FOUO)

SUMMARY OF EVENTS ACROSS CANADA

ONTARIO

- **Ottawa** saw approximately 7,000 people protesting and counter-protesting on Saturday, 5 February 2022. There were a number of minor incidents requiring police intervention, but the protests themselves were largely peaceful. Ottawa Police Services received approximately 200 calls about hate-related crimes, leading to 11 investigations. The City of Ottawa declared a state of emergency on Sunday, 6 February 2022. The protest attracted various anti-government figures, including conspiracy theorist Roman Didulo who in June 2021 encouraged her online followers to kill health professionals, burned a Canadian flag and symbolically raised another, declaring the new Kingdom of Canada in Ottawa. The burning of the flag reportedly angered other anti-government protestors. (U//FOUO)
- **Toronto** saw a protest and counter-protest on Saturday, resulting in two arrests—one related to a smoke bomb and the other to throwing feces. (U//FOUO)
- **Sarnia** police had to close part of Highway 402 that runs to the border crossing with Michigan because of pedestrians on the road near a convoy of trucks and tractors. (U//FOUO)

Protests inspired by the Canadian "Freedom Convoy" have also taken place in other countries without reported violence but with anti-authority messaging



Source: The Guardian (U//FOUO)

ASSESSMENT NOTE: This assessment is based on recent open-source, law enforcement liaison reporting. The information cut-off date is 10:00 hours on 7 February 2022. ITAC has MEDIUM confidence in its assessments due to the dynamic situation. (U)

ALBERTA

- **Coutts** continues to be the site of disruptive activities at the Canada–United States (US) border in protest of the vaccination mandate for truckers. The size of the protest has ebbed and flowed over the last ten days, and there is no information to suggest that organizers intend to end the protest. (U//FOUO)
- **Edmonton, Lethbridge and Calgary** saw peaceful protests throughout the weekend. (U//FOUO)

QUEBEC

- **Quebec City** saw several large convoys converge outside of the Quebec Provincial Assembly. The QAnon flag was observed, and the extremist group La Meute stated that approximately 100 members participated in the protest, and claimed that the same number attended the Ottawa protest. Police reported only one arrest associated with the Quebec City protest. The protesters left by the end of the day on 5 February, but indicated that they would return in two weeks. (U//FOUO)
- **Gatineau** police indicated that the extremist anti-vaccination group Farfadaas, which has been protesting near Chaudière Bridge to Ottawa since the beginning of the "Freedom Convoy," remained in place, although the group has indicated that it is running out of supplies. (U//FOUO)

BRITISH COLUMBIA

- **Vancouver** estimated that there were thousands of protesters in various locations around the city, with some counter-protests. Although the protests were generally peaceful, there were five arrests, including the arrest of an American from Washington State who was arrested with eggs and a knife. (U//FOUO)
- **Victoria** saw a protest of approximately 2,500 people, some of whom were counter-protesters. This was the second weekend in a row for protests in front of the British Columbia legislature. (U//FOUO)

MANITOBA

- **Winnipeg** protesters experienced minor injuries when an impaired driver drove into a group on the evening of Friday, 4 February 2022. The driver was released from custody on conditions and facing a number of charges. Initial information suggests that this incident is not of national security interest. (U//FOUO)

NOVA SCOTIA

- **Halifax** saw a convoy of hundreds of trucks and cars. (U//FOUO)

ASSESSMENTS

- Those seeking to undertake legitimate protest are distinct from those actors espousing violent extremism. The convergence of legitimate protest with ideological extremism both online and in cities across the country presents a possible trigger point and opportunity for potential lone actor attackers to conduct a terrorism attack. (U//FOUO)
- ITAC continues to assess that a coordinated, complex terrorist attack or a planned storming of Parliament, legislatures or government offices is unlikely at this time. The most likely ideologically motivated violent extremism (IMVE)-related scenario involves an individual or small group using readily available weapons and resources such as knives, firearms, homemade explosives and vehicles in public areas against soft targets, including opposition groups or members of the general public. (U//FOUO)
- ITAC judges that the "Freedom Convoy" protests have become a rallying point for anti-government and anti-authority, anti-vaccination, conspiracy theory, and xenophobic groups throughout North America and other Western countries. Convergences and instability of this kind will likely occur throughout 2022. (U//FOUO)
- We note that the "Freedom Convoy" is a direct and very public manifestation of the increasingly mainstream legitimization of violence against elected officials and public figures connected to COVID-19 related public health measures. (U//FOUO)



Terrorism Threat Levels

Canada ← MEDIUM ↔ MEDIUM Threat levels as of 1 December 2021. (U//FOUO)



An act of terrorism **COULD OCCUR**. (U//FOUO)

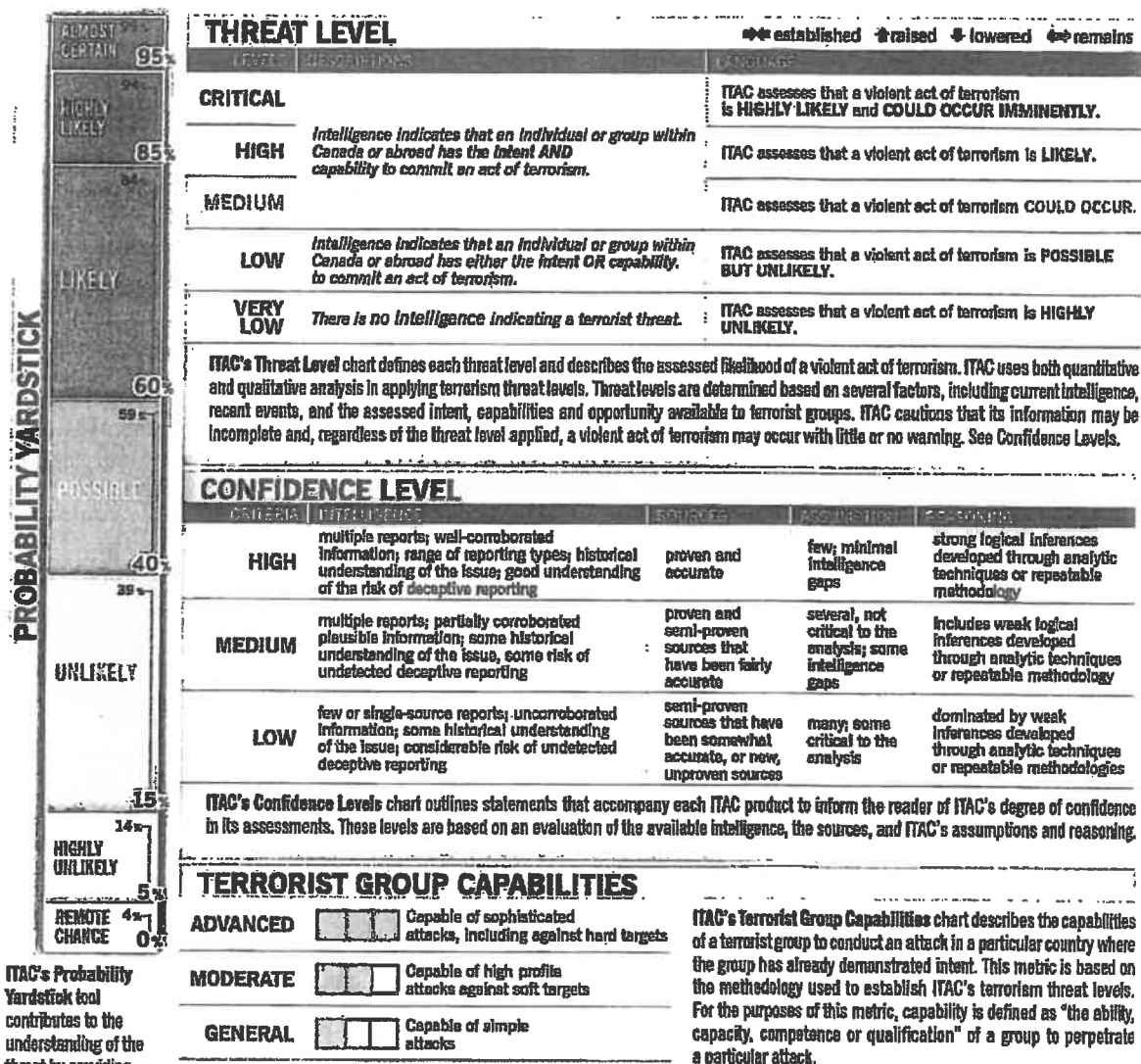


There is intent *and* capability from both domestic and international extremist actors to commit an act of terrorism in Canada. (U//FOUO)



An act of terrorism directly affecting *uniformed personnel* in Canada **COULD OCCUR**. (U//FOUO)

- Intelligence indicates that an individual or group **within Canada** or abroad has the intent *and* capability to commit an act of terrorism in Canada. There remain individuals both in Canada and abroad who advocate violence and aspire to carry out terrorist attacks domestically. ITAC notes that inspired individuals typically act alone or in relatively small groups, and that attack planning can progress quickly, and may go undetected. ITAC assesses that an act of terrorism could occur *in Canada*. (U//FOUO)
- Propaganda identifying **uniformed personnel** as potential targets continues to be published online. ITAC notes that there are indications of intent to target uniformed personnel in Canada. Notwithstanding, ITAC assesses that, at present, uniformed personnel are more likely to be targeted incidentally while performing their duties. ITAC assesses that a violent act of terrorism affecting *uniformed personnel* in Canada could occur. (U//FOUO)



ITAC's Probability Yardstick tool contributes to the understanding of the threat by providing readers with a common understanding of ITAC's probability statements.

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Court File No.: T-382-22

FEDERAL COURT**B E T W E E N :****JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU****Applicants****- and -****GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, ATTORNEY GENERAL
OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS****Respondents**This is Exhibit " A " referred
to in the declaration ofDeclared before me this 2nd
day of April A.D. 20 22
[Signature] LC 63497W

A Commissionner, etc.

Ceci est la pièce _____ à

La déclaration solennelle de

déclarée devant moi ce

jour de _____ 20 _____

Commissaire, etc.

CERTIFICATE

I, the undersigned, Janice Charette, residing in the City of Ottawa, in the

Province of Ontario, do certify and say:

1. I am the Interim Clerk of the Privy Council and Secretary to the Cabinet.

2. I have examined the information described in the Schedule attached hereto for the purpose of determining whether it constitutes a confidence of the Queen's Privy Council for Canada and whether it should be protected from disclosure under section 39 of the *Canada Evidence Act*, R.S.C. 1985, C-5.

3. I certify that under subsections 39(1) and (2) of the *Canada Evidence Act*, the information referred to in the said Schedule is a confidence of the Queen's Privy Council for Canada for the reasons set out in the Schedule attached hereto, and I object to the disclosure of the information.

4. I further certify that paragraph 39(4)(a) of the *Canada Evidence Act* does not apply in respect of the information as it has not been in existence for more than twenty years and that paragraph 39(4)(b) of the said Act does not apply in respect of the information in question.

5. If oral evidence were sought to be given on the content of the information the disclosure of which I have in this certificate objected to, I would object to such evidence on the same grounds as described above in relation to the information in question.

DATED AT OTTAWA, in the Province of Ontario, this 31 day of March 2022.



Janice Charette
Interim Clerk of the Privy Council
and Secretary to the Cabinet

SCHEDULE TO THE CERTIFICATE OF JANICE CHARETTE

dated *31 march*, 2022, in the matter of
Jeremiah Jost et al v Attorney General of Canada et al
Court File No.: T-382-22

1. Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council directing that a proclamation be issued pursuant to subsection 17(1) of the *Emergencies Act*, including the signed Ministerial recommendation, a draft Order in Council regarding a proposed proclamation, a draft proclamation, and accompanying materials.

This information, including all its attachments in their entirety, which are integral parts of the document, constitutes a memorandum the purpose of which is to present proposals or recommendations to Council. Therefore, the information is within paragraph 39(2)(a) of the *Canada Evidence Act* (Act).

2. The record recording the decision of Council concerning a proclamation, February 2022, signed by Council.

This information constitutes a record recording deliberations or decisions of Council. The information is therefore within paragraph 39(2)(c) of the Act, as constituting an agenda of Council or a record recording deliberations or decisions of Council

3. Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the *Emergencies Act* and concerning emergency measures regulations, including the signed Ministerial recommendation, a draft Order in Council regarding proposed emergency measures regulations, draft regulations, and accompanying materials.

This information, including all its attachments in their entirety, which are integral parts of the document, constitutes a memorandum the purpose of which is to present proposals or recommendations to Council. Therefore, the information is within paragraph 39(2)(a) of the Act.

4. The record recording the decision of Council concerning emergency measures regulations, February 2022, signed by Council.

This information constitutes a record recording deliberations or decisions of Council. The information is therefore within paragraph 39(2)(c) of the Act, as constituting an agenda of Council or a record recording deliberations or decisions of Council.

- 2 -

5. Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness, regarding the proposed Order in Council pursuant to subsection 19(1) of the *Emergencies Act* and concerning an emergency economic measures order, including the signed Ministerial recommendation, a draft Order in Council regarding a proposed emergency economic measures order, a draft order, and accompanying materials.

This information, including all its attachments in their entirety, which are integral parts of the document, constitutes a memorandum the purpose of which is to present proposals or recommendations to Council. Therefore, the information is within paragraph 39(2)(a) of the Act.

6. The record recording the decision of Council concerning an emergency economic measures order, February 2022, signed by Council.

This information constitutes a record recording deliberations or decisions of Council. The information is therefore within paragraph 39(2)(c) of the Act, as constituting an agenda of Council or a record recording deliberations or decisions of Council.

Court File No.: T-382-22

FEDERAL COURT

B E T W E E N :

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, ATTORNEY GENERAL
OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Respondents

AFFIDAVIT

I, Jeremy Adler, residing in the City of Ottawa, in the Province of Ontario,
declare and say as follows:

1. I am the Chief of Staff in the office of the Clerk of the Privy Council and
Secretary to the Cabinet.

2. I know Janice Charette to be the Interim Clerk of the Privy Council and Secretary to the Cabinet.

3. On the 31st day of March 2022, I witnessed Janice Charette sign the certificate attached hereto as Exhibit "A" dated the 31st day of March 2022, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME at the)
 City of Ottawa in the)
 Province of Ontario this)
 1st day of April 2022)


 A Commissioner, etc.
 LSO 63497W


 Jeremy Adler